

OFFICIAL AGENDA
TUESDAY August 3, 2021
Meeting Start Time: 9:30 a.m.
Board of County Commissioners
Yellowstone County, Montana
Stillwater Building
316 N. 26th Street, Room 3108
Billings, MT
9:15 a.m. Agenda Setting

Pledge to the Flag: Minutes

REGULAR AGENDA

MEETING UPDATE

In response to recent public health concerns surrounding COVID-19, Board of County Commissioner meetings will be held in a different format. Meetings may include virtual video conferencing to comply with social distancing guidelines.

In an effort to honor your right to participate and allow for public comment we have set up a conference call line. **Please dial (406) 256-2724 Conference ID 277 749 960#**

The public may comment during the specific public comment periods listed on the agenda. Please have your phone set to "mute" until the public comment period is open.

The B.O.C.C. regular meeting will be televised live on Community 7 TV. (Channel 7 or 507 on Spectrum Cable) Community 7 TV may be accessed and viewed online at www.comm7tv.com.

If you have questions please contact the B.O.C.C. office at (406) 256-2701 or the Clerk and Recorder at (406) 256-2787.

9:30 a.m. PUBLIC HEARING

- a. The Board will consider whether to adopt a Resolution to hold a special election for voters to consider whether to prohibit non-medical marijuana businesses in Yellowstone County.
- b. The Board will consider whether to adopt a Resolution to hold a special election for voters to consider a 3% local-option tax on marijuana sales.

PUBLIC COMMENTS ON REGULAR AND CONSENT AGENDA ITEMS

9:30 a.m. PRESENTATION

2022 Draft Unified Planning Work Program (UPWP)

2. FINANCE

- a. Notice of Proposed FY22 RSID Assessments
- b. Notice of Public Hearings for the Purpose of Considering the Final Budget for FY21-22 (FY22); Setting FY22 County Mill Levies and Budget Amendments for FY21 and Grant Budget Amendments for FY21-22 - the Public Hearings will be held Tuesday August 31, 2021 and Tuesday September 7, 2021 at 9:30 a.m. in Room 3108

3. PLANNING DEPARTMENT

RL Subdivision - Preliminary Minor Plat

4. PUBLIC WORKS

Resolution 21-54 to Set a Public Hearing on Proposed Establishment of a Portion of Cottonwood Creek Road as a County Road - Setting the Public Hearing for Tuesday August 17, 2021 @ 9:30 a.m. in Room 3108

CLAIMS

CONSENT AGENDA

1. CLERK AND RECORDER

Plat of Huck Subdivision and the S.I.A.

2. COMMISSIONERS

- a. Board Appointment - Kari Welborn to Custer Cemetery Board
- b. Board Openings- Updated List

3.

FINANCE

Bond for Lost Warrant
4.

PUBLIC WORKS

Contract Change Order with Streamline Marking Inc. for Striping
5.

SHERIFF

a.

Indemnification/Hold Harmless Agreements between YCSO and Outside Agencies Utilizing YCSO Range

b.

Credit Card for New Lieutenant of Detention Facility
6.

HUMAN RESOURCES

a.

ASO Benefit Progam Application

b.

PERSONNEL ACTION REPORT - Sheriff's Office - 2 Salary & Other, 3 Terminations; **Detention Facility** - 3 Appointments, 3 Salary & Other; **MetraPark** - 1 Appointment; **Youth Services Center** - 1 Appointment, 1 Termination; **County Attorney** - 1 Appointment, 1 Termination; **Clerk and Recorder** - 1 Appointment; **Justice Court** - 3 Appointments; **Road and Bridge** - 1 Appointment; **Clerk of Court** - 1 Salary & Other: 1 Termination

FILE ITEMS

1.

AUDITOR

Payroll Audit - July 1 to July 15, 2021
2.

FINANCE

Detailed Cash Investment Report June 2021
3.

HUMAN RESOURCES

July 1 - July 15 Payroll Audit

PUBLIC COMMENTS ON COUNTY BUSINESS

B.O.C.C. Regular

Agenda Item b.

Meeting Date: 08/03/2021

Title: Resolution to Hold Special Election to Consider a 3% Local-Option Tax on Marijuana Sales

Submitted By: Jeana Lervick, Chief Deputy Attorney Civil Division

TOPIC:

The Board will consider whether to adopt a Resolution to hold a special election for voters to consider a 3% local-option tax on marijuana sales.

BACKGROUND:

House Bill 701, passed by the Legislature and signed by the Governor, allows for counties to adopt a resolution placing a local-option marijuana excise tax of up to 3% on the ballot. If voters approve the ballot measure, the tax would go into effect 90 days later.

RECOMMENDED ACTION:

Approve or Disapprove

Attachments

Resolution to Hold Special Election to Consider a 3% Local Option Tax on Marijuana Sales

RESOLUTION NO. 21-60

BOARD OF COUNTY COMMISSIONERS, YELLOWSTONE COUNTY

RESOLUTION PRESENTING TO QUALIFIED ELECTORS OF YELLOWSTONE COUNTY THE QUESTION OF A 3%
LOCAL-OPTION MARIJUANA EXCISE TAX PURSUANT TO HB701

WHEREAS, House Bill (HB) 701 allows for the operation of various categories of marijuana businesses and taxation of marijuana retail sales in Montana counties in which a majority of voters approved Initiative Measure 190 in the November 3, 2020 election beginning January 1, 2021;

WHEREAS, the majority of Yellowstone County voters voted to approve Initiative Measure No. 190 in the November 3, 2020 election;

WHEREAS, Sections 94-98 of HB701 give to qualified electors of each county authority to authorize the imposition of a local-option marijuana excise tax up to 3% by an election using specific processes set forth therein;

WHEREAS, the local-option marijuana excise tax, if approved by a majority of qualified electors of Yellowstone County, would become effective 90 days after the election; and

WHEREAS, the local-option marijuana excise tax is a tax on the retail value of all marijuana and marijuana products sold at adult-use dispensaries and medical marijuana dispensaries within the county; and

WHEREAS, 50% of the resulting tax revenue must be retained by Yellowstone County; 45% of the resulting tax revenue must be apportioned to municipalities on the basis of the ratio of the population of the city or town to the total county population; and the remaining 5% of the resulting tax revenue must be retained by the Montana Department of Revenue to defray costs associated with administering the tax; and

WHEREAS, local governments have limited sources of revenue, and a new local-option marijuana excise tax would help diversify local revenue generation; and

WHEREAS, in accordance with Montana law the revenue of local-option marijuana excise tax may be used for any activity, undertaking, or administrative service that the municipality is authorized by law to perform, including costs resulting from the imposition of the tax or due to administrative burdens imposed on the municipality as a result of licensing or regulatory requirements; and

WHEREAS, in the seven states that had programs in place in 2019 for the full year, marijuana tax revenues represented about 0.36 percent of overall state budgets. Additionally, revenues have grown consistently over the last three years in the states with more established markets. This local-option excise tax will allow Yellowstone County to capture a robust new source of revenue; and

WHEREAS, as set forth by sections 94 through 98 of HB701 the qualified electors of a county are delegated the power to authorize their county to impose a local-option marijuana excise tax within the corporate boundary of the county; and

WHEREAS, if passed, the marijuana excise tax will be assessed on retail sales of marijuana products sold at adult-use dispensary or medical marijuana dispensaries, effective January 31, 2022;

WHEREAS, public hearings were held on Tuesday July 13, 20-21 and Tuesday August 3, 2021;

WHEREAS, the Board of County Commissioners considered written and verbal comments from the public;

WHEREAS, after considering public comment the Board of County Commissioners believe that potential uses of funds collected from any tax on marijuana related to local sales include property tax relief in Yellowstone County;

WHEREAS, the imposition of a local option marijuana excise tax of 3% on non-medical marijuana and non-medical marijuana products when added with the 20% state tax will result in a 23% tax rate;

WHEREAS, the imposition of a local option marijuana excise tax of 3% on medical marijuana and medical marijuana products when added to the 4% state tax will result in a 7% tax rate; and,

WHEREAS, the Board of County Commissioners is authorized pursuant to Section 96 of HB701 to enter a resolution referring the question of a local-option marijuana excise tax of up to 3% on marijuana products sold at adult-use dispensaries and medical marijuana dispensaries to qualified electors of Yellowstone County;

NOW THEREFORE, BE IT RESOLVED that the Yellowstone County Board of County Commissioners hereby refers, pursuant to Sections 94-98 of HB701, the following questions to qualified electors of Yellowstone County:

First Ballot Question

“Shall Yellowstone County impose a 3% local-option marijuana excise tax on the retail value of all non-medical marijuana and non-medical marijuana products sold within Yellowstone County.

FOR a 3% (three percent) Marijuana Local-Option Excise Tax for all non-medical marijuana and non-medical marijuana products

AGAINST a 3% (three percent) Marijuana Local-Option Excise Tax for all non-medical marijuana and non-medical marijuana products”

Second Ballot Question

“Shall Yellowstone County impose a 3% local-option marijuana excise tax on the retail value of all medical marijuana and medical marijuana products sold within Yellowstone County.

FOR a 3% (three percent) Marijuana Local-Option Excise Tax for all medical marijuana and medical marijuana products

AGAINST a 3% (three percent) Marijuana Local-Option Excise Tax for all medical marijuana and medical marijuana products

BE IT FINALLY RESOLVED that the Board of County Commissioners hereby makes the request of the Yellowstone County Election Administrator to conduct the excise tax ballot by mail.

Passed and adopted this 3rd day of August, 2021.

YELLOWSTONE COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chairperson

ATTEST:

John Ostlund, Member

Jeff Martin, Clerk and Recorder

Denis Pitman, Member

B.O.C.C. Regular

Agenda Item a .

Meeting Date: 08/03/2021

Title: Resolution to Hold Special Election to Consider Prohibiting Non-Medical Marijuana Businesses

Submitted By: Jeana Lervick, Chief Deputy Attorney Civil Division

TOPIC:

The Board will consider whether to adopt a Resolution to hold a special election for voters to consider whether to prohibit non-medical marijuana businesses in Yellowstone County.

BACKGROUND:

House Bill 701, passed by the Legislature and signed by the Governor, allows for reconsideration of Initiative I-190, which legalized non-medical marijuana retail businesses across the state. The Board will consider whether to put to the voters consideration of prohibiting non-medical marijuana businesses within the County.

RECOMMENDED ACTION:

Approve or Disapprove

Attachments

Res. to Hold Special Election to Consider Prohibiting Non Medical Marijuana Businesses

RESOLUTION NO. 21-59

BOARD OF COUNTY COMMISSIONERS, YELLOWSTONE COUNTY

RESOLUTION PRESENTING TO QUALIFIED ELECTORS OF YELLOWSTONE COUNTY THE QUESTION OF
WHETHER TO OVERTURN APPROVAL OF MARIJUANA BUSINESSES IN YELLOWSTONE COUNTY

WHEREAS, State Initiative 190 ("I-190") provides for the legalization of categories of commercial marijuana businesses in Montana, beginning January 1, 2022;

WHEREAS, I-190 was passed in the State of Montana by a majority of qualified voters in the November 3, 2020 election;

WHEREAS, I-190 was passed in Yellowstone County by a majority of qualified voters in the November 3, 2020 election;

WHEREAS, House Bill 701, signed into law on May 18, 2021, allows counties in which a majority of voters approved I-190 to prohibit the allowed operations within that county;

WHEREAS, the prohibition of adult-use dispensaries, if approved by a majority of qualified electors of Yellowstone County, would become effective 90 days after the election;

WHEREAS, the prohibition of marijuana businesses pursuant to House Bill 701 would not affect or alter medical marijuana operations within Yellowstone County;

WHEREAS, public hearings were held on July 13, 2021 and August 3, 2021;

WHEREAS, the Board of County Commissioners has considered written and verbal comments from the public;

WHEREAS, following public comment it is the opinion of the Board of County Commissioners that it should be put to qualified voters of Yellowstone County whether to overturn prior approval of commercial marijuana businesses within the borders of the County;

WHEREAS, the Board of County Commissioners is authorized pursuant to Section 59 of HB701 to enter a resolution referring the question of overturning the approval granted in November 2020 to the voters of Yellowstone County;

NOW THEREFORE, BE IT RESOLVED that the Yellowstone County Board of County Commissioners hereby refer the following question to qualified electors of Yellowstone County:

"On November 3, 2020, the voters of Yellowstone County approved Initiative 190 (I-190), which legalizes the possession and use of limited amounts of marijuana for adults over the age of 21. I-190 does not concern medical marijuana or medical marijuana businesses, which are already legal and regulated within the County. The Montana Legislature passed House Bill 701 providing an option for county electors to reconsider allowing non-medical commercial marijuana businesses within the County.

Shall Yellowstone County prohibit the operation of non-medical commercial marijuana businesses within the County.

FOR overturning the approval of commercial marijuana businesses, thereby prohibiting the operation of non-medical marijuana businesses within the County.

AGAINST overturning the approval of commercial marijuana businesses, thereby continuing to allow the operation of non-medical marijuana businesses within the County.

Passed and adopted this 3rd day of August, 2021.

YELLOWSTONE COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chairperson

ATTEST:

John Ostlund, Member

Jeff Martin, Clerk and Recorder

Denis Pitman, Member

B.O.C.C. Regular

Agenda Item

Meeting Date: 08/03/2021**Title:** 2022 Draft Unified Planning Work Program (UPWP)**Submitted For:** Monica Plecker**Submitted By:** Scott Walker

TOPIC:

2022 Draft Unified Planning Work Program (UPWP)

BACKGROUND:

The City-County Planning Division is presenting the 2022 Unified Planning Work Program (UPWP) for the Billings Metropolitan Planning Organization (MPO) for Commissioner review and recommendation to the Billings Policy Coordinating Committee (PCC). The UPWP is primarily for the purpose of programming the federal dollars that Billings receives from the Federal Highway Administration (FHWA) for transportation planning and the Federal Transit Administration (FTA) for transit (MET) planning. These funds are passed through the Montana Department of Transportation (MDT). All transportation planning activities are included in the UPWP so that it represents a comprehensive document for the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2022, which runs from October 1, 2021 through September 30, 2022. This UPWP corresponds directly with the Planning Division's annual work plan. The significant changes in this year's program include an update to the 2018 Long Range Transportation Plan. Phase II of the Safe Routes to School Plan, and completion of the North Bypass Corridor Study. The transit section is Chapter II of the UPWP. The document is consistent with past programs in its content and format.

Approval of the 2022 UPWP allows the City and County to access Federal funds for transportation planning in the community. Federal and local funds are combined to provide most of the planning work done by the Planning Division for the City and the County. If the UPWP is not approved, there would be a significant loss of resources for community planning and the community's ability to manage transportation planning projects and programs would be severely limited. The breakdown of funding sources for the FY 2022 UPWP is estimated below:

\$280,000 Planning Dept. Fee Revenue (City of Billings) \$155,000 Planning Dept. Fee Revenue (Yellowstone County) \$523,000 Yellowstone County Planning Levy \$1,679,581 Federal Planning (PL) Allocation \$2,637,581 Total Local and Federal Program Funding (UPWP).

RECOMMENDED ACTION:

Staff recommends the Commission review the Draft 2022 UPWP and instruct PCC Designee Commissioner Pitman to give a positive recommendation to PCC for final local approval.

Attachments

2022 Draft Unified Planning Work Program

Billings Urban Area

Unified Planning Work Program

(UPWP)

Federal Fiscal Year

DRAFT

2022

Prepared By:

Billings/Yellowstone County Planning Division
2825 3rd Avenue North, 4th Floor
Billings, Montana 59101

In Cooperation With:

Montana Department of Transportation
Federal Highway Administration
Federal Transit Administration



UNIFIED PLANNING WORK PROGRAM

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INTRODUCTION

The Billings Urban Area planning process is organized and conducted in a cooperative, coordinated, and comprehensive manner. The Yellowstone County Board of Planning, as the designated Metropolitan Planning Organization (MPO), is charged with the responsibility of administering the planning process. Under federal regulations, an MPO must be established for urban areas with populations greater than 50,000 in order to receive federal funds for construction projects and transportation planning. This document, the Billings Urban Area Unified Planning Work Program (UPWP), and a companion document, the Prospectus, is the foundation upon which the planning process is based.

The UPWP is developed each year, and once adopted and approved by FHWA and FTA, is in effect from October 1 to September 30. The UPWP contains a task by task discussion of projects, which are to be undertaken during the program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP undergoes a comprehensive review at the local, state, and federal levels each year.

This year, Federal Fiscal Year 2022, the format for work program activities conforms to Federal Transit Administration (FTA) Circular 8100.1C, specifically Chapter IV. The Montana Department of Transportation and the Yellowstone County Board of Planning have mutually agreed upon use of this format.

The UPWP is a detailed description of projects, which occur on a routine basis. Once adopted, the document is only amended if there is a change in the planning process. The UPWP also contains information pertaining to the organization of the planning process, agencies involved, and agreements between agencies involved in the process.

Cost overrun guidelines have been established by the Montana Department of Transportation, and agreed to by the Yellowstone County Board of Planning. Those guidelines will determine the allowable overruns for any work program element. Overruns that surpass those outlined in the guidelines will require a UPWP amendment.

This document includes two chapters, Highway and Transit. Each chapter contains individual work elements. These work elements describe work the planning and transit staff will undertake in the program year as well as work accomplished in the past year. Also included is a breakdown of funding sources which include, Planning (PL) funds and Local (City & County) funds which are used to provide funding for non-PL eligible activities. Priorities this year include implementing the 2018 Long Range Transportation Plan, the 2018 Public Participation Plan, an update of the School Sidewalk Program, continuing work on the Downtown Area Traffic Circulation and Safety Study, and other projects.

DATES OF LOCAL APPROVAL

TAC –7/22/21
PLANNING BOARD –8/10/21
COUNTY COMMISSION –8/3/21
CITY COUNCIL –8/9/21
PCC –8/17/21
FWHA-September 23, 2021

CHAPTER I

YELLOWSTONE COUNTY BOARD OF PLANNING

SECTION I UNIFIED PLANNING WORK PROGRAM

41.11.100 PROGRAM SUPPORT & ADMINISTRATION

100 PROGRAM ADMINISTRATION (4301)

OBJECTIVE

- To administer the area-wide planning process.
- To support the Board of Planning and other Boards, Commissions, and the City Council and County Commissioners in decision-making activities in the planning process.
- To engage in administrative and financial actions related to identified planning activities and to prioritize those activities.
- To enhance staff skills and maintain staff exposure to the "state-of-the-art" in planning practice and computer software.
- To maintain contact with, provide input to, and receive feedback from various local, state and federal agencies, committees and groups during the planning process.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Conformance with federal, state, and local administrative and regulatory requirements, as well as maintenance of planning operations was achieved for FY21.

Members of the planning staff attended various professional meetings, workshops, and conferences at which planning, transportation, transit, bicycle/pedestrian and related topics were presented and discussed.

Specifically, the City-County Planning Division (Planning Division) and members of other local, state and federal departments and agencies actively participated in a diverse set of local meetings, including the Billings Technical Advisory Committee (TAC), Policy Coordinating Committee (PCC), Billings & Yellowstone County Zoning Commissions and Boards of Adjustment, Board of Planning, City Annexation Committee, City Development Process Review Committee, Community Development Board, Traffic Control Board, Bicycle and Pedestrian Advisory Committee, Historic Preservation Board and others. Grant writing for the Division was completed under this work element. The coordination and administration of the TA Program applications and local approvals are administered through this work element.

Planning staff received updates in computer software programs for the geographic information system and its application to mapping data layers such as streets, land use, TAZ data information, address, ownerships and environmental data. Staff regularly utilizes an application tracking and project management software system that integrates the existing City building permit, finance and land management software, as well as coordinated subdivision and development project reviews across City and County departments. This software allows for electronic submittal of building, sign, fence and

exempt plats for local review. Staff also reviewed/updated the City Annexation Policy and Limits of Annexation Map, and assisted in updates to the City's Capital Improvement Plan. Implementation of the City's Complete Streets Policy is ongoing with the continued collection of data to be incorporated into the Complete Streets Status Report that is updated and published every three years, including in calendar year 2020. Implementation of the Billings Community Transportation Safety Plan will continue with reporting to MDT as required. The 2021 UPWP outlines an update to the Community Transportation Safety Plan, that project is discussed in more detail in the Transportation Planning Studies.

Due to COVID-19, the City-County Planning Division had altered the way business was conducted. The Division completely closed in March of 2020 only offering document drop off/pick up in the first-floor conference room. The Division was able to reopen with limited staff in the office in June of 2020. Online permitting has been a benefit to accommodate this situation with the virus. The city implemented a telework policy and with the availability of the vaccine, staff is now working 4 days in office and 1 day from home. Meetings are moving from only virtual to back in-person options.

Other COVID-19 activities will be identified and discussed in further sections as it may affect the conducting of business and travel/training.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

All administrative functions of the Planning Division will be performed under this work element. Program management activities will include, but not be limited to the following:

1. Correspondence
2. Public Relations
3. Employee Guidance, Supervision, and Training
4. Program Organization and Management
5. Consultant Liaison Activities
6. Staff Meetings
7. Negotiations
8. Preparation of Contracts
9. Staff Training
10. Performance Monitoring
11. Office Equipment Acquisition
12. Budget Management and Administration

Federal regulations require that performance measures and goals be established to monitor the performance of the region's transportation system.

The MPO will work with federal, state and local agencies to improve current performance tracking methods. Performance measures will be tracked on the MPO website and regular reporting will be provided to the Transportation Policy Coordinating Committee, MPO committees and the general public depending on the availability of related data.

The MPO is excited to announce that after many years of being a vacant position, the Planner I position has been approved for funding by the City of Billings. This position has been vacant since the 2008 economic downturn experienced by the nation and Montana. But over the last year, there has been continuous pressure from the City on the MPO to expand sub area/neighborhood planning efforts to include transportation planning within the sub area/neighborhood plans. With development and

implementation of the new Zoning Code, higher emphasis on the transportation system, including road classification, safety and connectivity is vital to how the adjacent land uses for residential and commercial development are built. The road system emphasis location and setting of any structures.

The Planner I will be responsible to using the new code and existing transportation documents for review of land use applications, building permits and zoning clarification forms. This is a council priority adopted this spring. More information regarding this position's responsibilities are outlined in other UPWP Work Elements. This position is being filled immediately.

The MPO also has an opportunity to expand planning staff by introducing a new Planner I to the UPWP. This position is a reconfigured position from a Planning Assistant (not funded through the UPWP), who is retiring in October, to a more advanced Planner I. This position will also assist in transportation elements, such as non-motorized components, transportation safety, and other transportation planning elements under the 3 C's, Comprehensive, Continuing and Cooperative within sub area/neighborhood planning. More information regarding this position's responsibilities are outlined in other UPWP Work Elements. The MPO is excited about the changes in staffing that are about to be undertaken, the Division has been staffed at the same level, minus the change of the Active Transportation Planner to full-time, for over 10 years. The ability to fully staff the Division will allow for more transportation and land use planning that has been limited over the last few years.

PL Eligible Activities

- As per the MPO's public participation plan and ongoing public outreach efforts, the planning staff will make available the documents and guidelines for transportation planning activities to the community, as well as keep abreast of federal and state requirements as they relate to the overall planning processes. These activities may include distribution of the Billings Area Bikeway and Trail Master Plan to community organizations or individuals, distribution of the current Billings Area Tour Map for bicycle and pedestrian users and visitors, distribution and explanation of the latest Billings Urbanized Area Traffic Count Map and Bicycle Count Map, explanation and distribution of the MPO's public participation plan to groups involved or interested in transportation planning processes in the community, and explanation and information dissemination of the TA or other grant programs to possible project applicants in the community.
- Staff will update the PL & Memorandum of Agreement as necessary to meet the requirements of the FAST Act or any new legislation they may be approved in the upcoming fiscal year.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation (MDT) in order to maintain federal funding support.
- The FY 2022 UPWP will be continually appraised and monitored in terms of content and budget allocations and will be revised when deemed necessary.
- The Fiscal Year 2023 UPWP will be developed under this work element.
- The Board of Planning, Board of County Commissioners and City Council will be kept informed of the activities of the staff and its progress in completing the approved UPWP.
- Staff will be involved in update and implementation of the Community Safety Plan for the Billings Urban Area.
- All planning staff will participate in recognized and approved training programs in order to improve staff skills and capabilities. Planning expertise will be maintained through enrollment in appropriate planning and transportation-related courses at area colleges, workshops, seminars, webinars and conferences. Staff anticipates that conferences and workshops will start to meet in person as more vaccine is distributed.

- Staff will adapt software programs to effectively utilize traffic data and continue computer-training programs.
- The use of PL funds for out-of-state travel and/or registration fees for the above or other purposes will continue to be subject to prior approval of MDT.
- The TA Program administration will be funded through this work element.
- Fixing America's Surface Transportation (FAST) Act or new replacement legislation will be reviewed so staff may become familiar with changes affecting the metropolitan planning process.
- Grant writing services will continue to be incorporated within the department.
- Planning activities pertaining to Bicycle-Pedestrian in this work element will include:
 - Work field inspections, handle complaints and investigate problem areas of the Bike/Pedestrian system.
 - Presentations as needed.

Locally Funded Activities

- General administrative activities will include maintenance of files, library documents, daily correspondence and preparation of necessary periodic reports.
- Interagency committee participation is included in this work element.
- All staff members will continue to participate in and encourage increased cooperation between state and local agencies, departments and governing bodies.
- The Planning Division will serve both as a coordinator of and a participant in meetings and committees.
- Planning Division involvement will include participation with such agencies as the Housing Authority, Big Sky Economic Development (BSED), Air Pollution Control Board, RiverStone Health (City-County Health Department), Healthy by Design, legislative study committees, and other agencies.
- Staff will continue to implement long-term document storage through virtual servers and cloud storage platforms.

STAFFING

28 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

The Planning Division will be responsible for administering the area-wide planning process for the City and County.

PRODUCT

- An ongoing administrative program focused primarily at effective and expeditious implementation of this UPWP.
- The continual enhancement of the Planning Division staff skills and knowledge.
- Maintenance of a coordinated, comprehensive, and cooperative planning process that is endorsed and supported by the local community.
- The development of the FY23 UPWP.

FUNDING SCHEDULE - ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$231,000	\$189,000	\$420,000
TOTAL	\$231,000	\$189,000	\$420,000
DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	55	45	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$247,500	\$202,500	\$450,000**
TOTAL	\$247,500	\$202,500	\$450,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

** Record Keeping via virtual servers and cloud storage - \$7,000, 3 Computer Upgrades - \$7,500.

101 SERVICE (4302)

OBJECTIVE

- To coordinate the dissemination of information and exchange of ideas between planning agencies and the interested public, decision-makers, and other departments, agencies, and organizations as related to the Billings MPO.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Members of the planning staff were involved in a wide range of service tasks. Planning services included presentations related to roadways and alternative transportation, responding to citizen inquiry and complaints regarding streets, subdivision layout, site distance, zoning request, conformance with the 2018 Transportation Plan Update and the Billings Area Bikeway and Trails Master Plan, City of Billings 2016 Growth Policy, the Lockwood Growth Policy and various neighborhood and community plans.

Staff presented transportation planning information to its organization and agency partners as needed for educational and decision-making purposes. Planning staff also shared information with the community and stakeholders throughout the development of several planning efforts. Prior to COVID, the Billings MPO hosted monthly webinars covering a variety of topics including transportation and mobility related topics. Our webinar series will begin again starting in July of 2021.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- Staff will reinstate the very successful series of webinars and “brown bag lunch” seminars on a wide range of planning topics, including multi-modal transportation planning and funding, collaborative community planning techniques and planning for sustainability as well as various Institute of Transportation Engineers, Project for Public Spaces, Sustainable Communities, and Federal Highway Administration webinars.
- Staff is also targeting webinars which educate staff and public on the transportation planning process and funding as related to the operation of the MPO.
- The Planner I position being filled immediately will also be working within this element. It is expected that these positions will provide transportation and related planning information to the general public and interested organizations.

Locally Funded Activities

- Staff will continue to develop and use website tools to enable citizens to access information on upcoming planning activities, board and commission meetings, and recent land use applications, as well as interact with various planning processes through email notification and online comment programs. Staff will look at implementing citizen access to the Questys System software for access to historical data related to transportation, zoning and other planning applications.
- Continue increasing community and agency awareness of the interrelationships between land use development and transportation needs through dissemination of information and drafting of planning documents that incorporate both elements together.

STAFFING

3.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

As Assigned.

PRODUCT

- A responsive and flexible planning process utilizing staff capable of providing short-term findings and recommendations, as well as ongoing customer service to the public on all levels of planning projects and regulations.
- Provide transportation related webinars to staff, local officials and general public to educate on current transportation issues. These webinars are scheduled on a monthly basis (resuming in July of 2021) and anticipate 5-10-person viewings per showing. This number can fluctuate depending on the topic. Staff participation is anticipated to be 4-5 persons at these viewings.
- In addition to the transportation specific webinars, staff also provides general planning webinars that are advertised to all city staff, local officials and the general public. These webinars are scheduled routinely and can include up to 3 webinars a month. Participation anticipated at these webinars is 5-10 person per viewing. This number can fluctuate depending on the topic. Staff

participation is approximately 3-5 per viewing contingent on scheduling. Webinars to the public will be monitored based on current health conditions with COVID-19.

**FUNDING SCHEDULE - SERVICE
FUNDS PROGRAMMED - FISCAL YEAR 2021**

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$22,000	\$22,000	\$44,000
TOTAL	\$22,000	\$22,000	\$44,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$25,000	\$25,000	\$50,000
TOTAL	\$25,000	\$25,000	\$50,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

102 CITIZEN INVOLVEMENT (4303)

OBJECTIVE

- To solicit information concerning community values and goals and to receive community input into the development of plans and projects.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Numerous meetings with service clubs, civic groups, and professional organizations were attended by staff members to discuss all facets of local planning. The Planning Board used extensive public input to review and receive comments on a wide range of planning issues throughout the City and County. Meetings of neighborhood task force organizations and neighborhood advisory committees were also attended as requested to answer questions and review long-range planning issues, particularly related to transportation planning and projects, as well as code enforcement complaints. Projects specifically related to citizens and citizen boards included the Downtown Traffic Circulation and Safety Study Public Participation Plan, 5th Avenue North Corridor Feasibility Study, the Bike and Scooter Share Feasibility Study, Complete Streets Progress Report and the carryover plans that include the North Billings Bypass Study, the Community Transportation Safety Plan, and the update to the Safe Routes to School Plan.

The City-County Planning Division developed alternative ways to ensure citizen participation in current planning projects, even during the COVID-19 pandemic. Projects include zoning and subdivision applications, sign and fence permits, and long-range planning projects including Project Re-Code that was just starting its final review and adoption schedule when the virus hit its peak. Project Re-Code was delayed to ensure opportunities for citizen participation through multiple platforms. In addition, at this same time the Downtown Billings Traffic Study had just begun. The Consultant, Dowl, had to create alternative means to conduct this heavily public participation project. Virtual meetings, recorded information for Facebook and YouTube, and other platforms were used.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- Outreach to the public and all affected jurisdictions for ongoing transportation projects, including but not limited to several MDT planning and construction projects such as the North Billings Bypass, short- and long-term planning for rail traffic mitigation in downtown Billings, 6th Street Underpass project and several MPO projects. The MPO has several projects that will be completed and initiated this upcoming year including the completion of the 5th Avenue North Corridor Study, the Community Transportation Safety Plan Update, the Safe Routes to School Plan Update and the Billings Bypass Corridor Study. New studies and plans this year include an update to the 2018 Long Range Transportation Plan and a Phase II of a Safe Routes to School Plan that will include Billings Middle, County Urban, and Private Schools.
- The staff will continue to support the Bicycle and Pedestrian Advisory Committee. The Committee is responsible for forwarding recommendations to the Planning Board and governing bodies on bicycle safety, bike lanes, pedestrian safety and access, and other matters. The group will be involved in the nomination and review of TA Program eligible projects, bicycle and pedestrian signing and safety projects, grant applications for non-motorized transportation projects, and community education and outreach on bicycle and pedestrian safety within the MPO.
- TAC and PCC meetings will be held and meeting information disseminated as necessary.
- Staff will continue to update and maintain the MPO's website to provide the most current up to date information to the community.
- Staff will utilize web-based GIS and web mapping software for assistance in transportation planning.
- Some of the specific projects that will involve community participation include the completion of the North Billings Bypass Corridor Study, the Community Transportation Safety Plan Update and the Safe Routes to School Plan update. New projects include updating the 2018 Long Range Transportation Plan and a second phase of a Safe Routes to School Study that will review Middle Schools, urban County Elementary Schools and Private Schools. Both of these projects will include extensive public participation and solicitation.
- The Planner I will also act in this position through transportation and general planning efforts to engage the community in a broad range of MPO planning projects.

Locally Funded Activities

- Meetings with various citizen groups will be coordinated and attended for the purpose of soliciting information and ideas on a broad range of planning issues within the Billings Urban Area and throughout Yellowstone County.

- Community participation using new tools and techniques will also be included in all planning studies proposed within this document.
- Staff will utilize web-based GIS and Web mapping software for assistance in land-use planning.

STAFFING

4.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A comprehensive and coordinated solicitation and collection of public opinions in order to accurately reflect the preferences and priorities of the citizens within the Billings Urban Area.
- An enhanced integrated web-based public participation software that includes MPO and general planning projects and procedures and other pertinent information.

FUNDING SCHEDULE - CITIZEN INVOLVEMENT

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$35,000	\$35,000	\$70,000
TOTAL	\$35,000	\$35,000	\$70,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$40,000	\$40,000	\$80,000
TOTAL	\$40,000	\$40,000	\$80,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.12.200 GENERAL DEVELOPMENT & COMPREHENSIVE PLANNING

200 Community Planning (4304)

OBJECTIVE

- To maintain records and make projections of population and dwelling unit data, land use information, employment data, and to maintain adequate financial records, files and reports.
- To provide current, accurate information pertaining to the quantity of residential, commercial, industrial, and public land in the MPO and across the County.
- To summarize and analyze development trends and to provide visual information to the City Council, County Commission, Planning Board and the public during the public input process for transportation and land-use decision making.
- To recommend implementation of the goals, policies, and strategies of the adopted 2016 City of Billings and Lockwood Growth Policies.
- Implementation of Long-Range Transportation Plans and Planning Studies.
- The current ten planning factors have been reviewed and incorporated in this UPWP. The factors are:
 - 1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
 - 2) Increase the safety of the transportation system for motorized and non-motorized users;
 - 3) Increase the security of the transportation system for motorized and non-motorized users;
 - 4) Increase the accessibility and mobility of people and for freight;
 - 5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
 - 6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
 - 7) Promote efficient system management and operation;
 - 8) Emphasize the preservation of the existing transportation system.
 - 9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
 - 10) Enhance travel and tourism.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Staff is anxiously waiting for the release of the 2020 Census and most recent American Community Survey (ACS) data. Current ACS data is updated and placed in various databases as it has become available. Data gathered and updated included annual information related to population estimates for city and counties within the State of Montana. This annual information is used by the public and public agencies for planning purposes. The ACS is accessed for review and dissemination, and updated information released by the US Census Bureau in regards to commuting patterns. Other data gathered includes:

- Building Permits, Demolition Permits, Electrical Permits, Subdivision Applications, Zoning Applications, Special Reviews, Variances, temporary use permits, sign permits, zoning compliance permits and zoning clarification documents, annexation data, population trends, land use trends, school enrollment, employment data and general economic indicators.

The planning staff continues to review the most current ACS data and slowly released information from the 2020 Census data and estimates for population and demographic data. Census information is made available to various local agencies and organizations and to the general public. The data is used for developing reports, grant applications and planning documents such as Transportation and Land Use Plans and for projects like the Recreational Trails Program Grant and other grants as needed.

The City-County Planning Division, on behalf of the Billings MPO, is responsible for preparing a Complete Streets Progress Report every three years. This direction was outlined in the City of Billings Complete Streets Policy: “The City will periodically collect, review and report performance data and benchmark measurements to demonstrate the effectiveness of the policy.” This effort was completed with the first-ever Billings Complete Streets Benchmark Report prepared in 2013. The Report is updated on a 3-year cycle with the most current update occurring in 2020. This [Progress Report](#) includes comparison of various data sets related to motorized and non-motorized transportation.

Zoning data developed in element 204 for the entire City and County zoning jurisdictions was provided to neighborhood task force groups and others as requested.

Numerous other special purpose maps were prepared for meeting purposes including bicycle trail maps, annexation maps, estimated development density maps and tables for the Limits of Annexation Map area, and other project influence areas. Natural resource, 2010 Census, and jurisdictional boundary information was updated or developed. Traffic count station locations were geo-positioned and linked with the City-County traffic count matrix. The City also upgraded its internal mapping system with an ArcGIS product that makes access to the most current property data and aerial photography better and easier for staff when researching existing conditions of transportation corridors and adjacent property. The new system provides a robust City GIS base map for use in application reviews, transportation planning efforts, and general customer inquiries. Ongoing review and implementation of sub-area neighborhood and transportation plans, and other planning documents was carried out by staff.

2020 was a Decennial Census year; the City-County Planning Division was identified as lead for the County’s Complete Count Committee. Staff developed a committee of community leaders to help guide the completion of census forms for a good count of the county. The City of Billings took the lead by providing funds to carryout census activities. This included purchasing promotional materials, banner display during the Census kickoff (April 1) and advertisement. Again, due to COVID-19, many of the promotional materials were unable to be handed out due to public meeting cancellations.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- The new web-based GIS software is compatible with available datasets and utilizes the existing data sets more effectively. The GIS will be utilized to develop a series of maps, including existing and proposed pedestrian trail routes and projects in the community, maps to implement the Long-Range Transportation Plan, updates to a preferred growth area map in conjunction with the City’s

Limits of Annexation Map, mapping of focus areas for implementation of the City's Infill Development Policy, and others. This ability of the new GIS allows for anticipating and planning for the transportation network in areas of annexation and infill. This will assist in the development of our LRTP and project planning for future plans and studies.

- The City has also rolled out a new web-based system that works with the City's electronic project tracking and management system to provide a visual map view for staff and the public of the location of building permits that have been approved or are under review by the City. This web-based system will assist staff in identifying areas of impacts to the transportation system, specifically managing access.
- The planning staff, under the direction of the Board of Planning, will continue to work on long-range planning projects according to the priorities established by both the City of Billings and Yellowstone County. In particular, the continuing implementation of the South Billings Master Plan, the 2018 Long Range Transportation Plan Update, and the 2016 Bikeway and Trails Master Plan.
- The addition of two new Planners will allow the senior staff to take a more active role in long range planning. It is anticipated that the Planner I's will undertake the review of:
 - Zoning applications. The development and adoption of Project Re:Code now ties land uses and land patterns to the road and street network.
 - Site development plans to address clear vision and controlled and shared access points.
 - Site development plans to address newly implemented build to zones which prevent traffic flow in front of buildings.
 - Site orientations that allow for internal traffic and other services, for example, drive through locations.

Work related to Bicycle-Pedestrian activities in this work element will include:

- Work with staff to insure a bike/pedestrian friendly community.
- Review of proposed subdivisions for non-motorized transportation connectivity.

Locally Funded Activities

- Staff also will continue to work with the Big Sky Economic Development (BSED) to implement the Master Plan for the East Billings Urban Renewal District (EBURD), the Hospitality Corridor Planning Study, the Exposition Gateway Concept Plan and the South Billings Boulevard Urban Renewal District (SBBURD) Master Plan. The plans include detailed analysis of the transportation and land use connections in the area and promote sustainable development projects.
- Staff plans to work with the City, County, BSED, and neighborhood groups to identify planning needs in various parts of the urbanized area.
- Continued maintenance and update of socio-economic and land use data for both transportation and comprehensive planning activities will continue in 2021, with 2010 Census information, release of certain 2020 data and the newly released 2019 American Community Survey data.
- Various GIS databases and layers will continue to be developed and centrally maintained, including information on neighborhoods, community assets, route planning, trail systems and transportation plans.
- The new web-based system tracking and managing projects will include application information on zoning and subdivision applications.

STAFFING

24 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Various reports, files, and projections of socio-economic data necessary for current transportation and comprehensive planning activities, as well as support of City/County economic development activities.
- An ongoing GIS database/mapping system for the City of Billings and Yellowstone County.
- Ongoing updates to the preferred growth areas mapping and analysis for the City, implementation of the City Infill Development Policy, SBBURD Master Plan, the 2018 Long Range Transportation Plan Update, 2018 Public Participation Plan, the Downtown Area Traffic Circulation and Safety Study, Wayfinding Sign Plan, and the Heritage Trail Tour Map and App.

FUNDING SCHEDULE - COMMUNITY PLANNING

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$77,100	\$179,900	\$257,000
TOTAL	\$77,100	\$179,900	\$257,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$90,000	\$210,000	\$300,000
TOTAL	\$90,000	\$210,000	\$300,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

204 ZONING ADMINISTRATION (4308)

OBJECTIVE

- To oversee, interpret and enforce current City and County zoning regulations.
- To effectively administer the regulations and provide efficient service to the elected officials and the public.
- To maintain current zoning and land use information for all zoned property within the jurisdiction of the Billings Metropolitan Planning Organization to use in long-range transportation planning studies, traffic analysis, and transportation projects.

ACCOMPLISHMENTS - FISCAL YEAR 2021

During the past year, even during the height of COVID, all applications for zone changes, special reviews, variances, and planned developments were timely reviewed and processed by the planning staff. Reports and recommendations were prepared on each case to the various boards, commissions, and governing bodies. Digital photos are now incorporated into all zoning reports and Microsoft Power Point presentations are given to all boards and commissions. Staff is in the process of ongoing scanning of historic zoning files in preparation of future citizen access through a new archiving system software. All applications for building permits were also reviewed for compliance with City and County zoning regulations. Special zoning studies and ordinance updates were prepared as requested by the governing bodies. These included making a series of zoning code amendments to bring the regulations into compliance with changes in State Law and changes driven by community interests.

Staff coordinated with the County GIS Department to ensure that all zone changes within the Billings MPO area were reflected on GIS online and printed maps to ensure land use information was current.

A significant amount of time was also spent assisting the public with general zoning questions. The status of all active zoning applications is now posted on the City/County Planning websites.

The large undertaking of completely re-writing the Zoning Code started in early 2018 and was adopted in early 2021 and implemented in February of 2021. The community is now operating on an updated zoning code, the first since 1972.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- Zoning, Special Review, and Variance applications will be reviewed for land use compatibility, traffic, access, and overall site design. The Billings Travel Demand Model will be used to evaluate new roadway improvements including but not limited to links, lane changes, transit changes, and the addition of bike/pedestrian facilities.
- Staff will continue to maintain its zoning maps and land use information so that it is applicable to long-range transportation planning efforts in the Billings MPO. This information is regularly applied to a variety of MPO functions, including corridor analysis efforts like those involved in

the Billings Bypass project, specific road projects, TA program applications and non-motorized grant applications.

- Staff will continue implementing the new Zoning Code. Staff will be reviewing and troubleshooting any inconsistencies or inaccuracies in the new code with the intent to make any needed amendments within the next 2-years. As stated earlier, the Zoning Code places a higher emphasis on the transportation system, including road classification, safety and connectivity is vital to how the adjacent land uses for residential and commercial development are built. The road system emphasis location and setting of any structures.
- The addition of two new Planners will allow the senior staff to take a more active role in long range planning. It is anticipated that the Planner I's will undertake the review of:
 - Zoning applications. The development and adoption of Project Re:Code now ties land uses and land patterns to the road and street network.
 - Site development plans to address clear vision and controlled and shared access points.
 - Site development plans to address newly implemented build to zones which prevent traffic flow in front of buildings.
 - Site orientations that allow for internal traffic and other services, for example, drive through locations.

Locally Funded Activities

- Carrying out the day to day activities required to effectively administer the zoning regulations as well as ensure that land use information is current and available for all long-range transportation planning efforts, including Transportation Plan updates, specific road projects, corridor studies and the North Bypass project.
- Activity in 2022 will include ordinance updates as required by State law or requested by the public or governing bodies.
- All zone change applications will be reviewed for compliance with local plans.
- Staff will continue the update to Zoning Code based on fulfilling policy goals set by the local governing body including Growth Policy, Neighborhood Plans, Complete Streets and Infill Policies.

STAFFING

13 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Effective zoning regulations and administration for the City of Billings and Yellowstone County. Effective enforcement of the zoning regulations for Yellowstone County.
- Online submittal capability for certain zoning permits, i.e. sign and fence will increase efficiency and convenience for applicants.

FUNDING SCHEDULE - ZONING ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$30,400	\$121,600	\$152,000
TOTAL	\$30,400	\$121,600	\$152,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	20	80	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$37,000	\$148,000	\$185,000
TOTAL	\$37,000	\$148,000	\$185,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

205 SUBDIVISION ADMINISTRATION (4309)

OBJECTIVE

- To maintain the current City and County subdivision regulations and ensure that they are updated when changes in State law occur.
- To effectively administer the regulations and provide efficient service to developers, engineers and surveyors, elected officials, and the community.
- To ensure that development is occurring with minimal negative impacts to the community and that subdivisions are designed to be safe and long lasting in the community.
- To evaluate traffic accessibility studies, general circulation data, and ensure conformity with the Functional Classification Map and associated elements of the Long-Range Transportation Plan when a subdivision application is submitted.
- To collect, manage, and apply subdivision development information for long-range transportation planning activities for the MPO – including but not limited to updates to the transportation plan and maintenance of inputs for traffic modeling.

ACCOMPLISHMENTS - FISCAL YEAR 2021

The Board of Planning and the planning staff reviewed all preliminary major and minor plat applications. Numerous conceptual and pre-application meetings were coordinated and attended by staff. All final plats were reviewed and processed. Also, a significant amount of time was spent assisting the public with general subdivision questions. Updates to the City and County Subdivision Regulations due to legislative changes were drafted and approved.

Staff collected and compiled information on the details of each new subdivision in terms of numbers of lots and land area slated for development. This information is integral to any transportation plan updates or long-range transportation planning efforts undertaken by the MPO in the community to determine population growth and location of residents and commercial services that affect the transportation system. This involved monthly subdivision activity reporting and periodic reviews of new development locations. This is also considered in relation to the TA program and when the MPO pursues grants for non-motorized transportation projects in the community.

The MPO continues to implement and enforce the Suburban Subdivision Regulations that require property currently outside the city limits but within the County Zoning Jurisdiction that may be annexed in the future to develop at city standards for infrastructure such as curb, gutter, sidewalk, etc. This new procedure has been a positive to residential development on the city fringe areas.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- Staff will review all subdivisions for compliance with the Billings Area Long Range Transportation Plan, and for conformity with the Billings Area Bikeway and Trails Master Plan, Lockwood Transportation Plan, Blue Creek Transportation Plan, and other neighborhood and community transportation plans as applicable. The new Billings Travel Demand Model will be used to evaluate new roadway improvements including but not limited to links, lane changes, transit changes, and addition of bike/pedestrian facilities.
- Staff also will continue to collect information on the details of each new subdivision as an integral data source for long-range transportation planning efforts undertaken by the MPO. The MPO expects to use this data in 2022 for a variety of projects, including the implementation of the Long-Range Transportation Plan, the Bike/Ped Plan and continued analysis for the North Bypass.
- The newly added Planner I to the UPWP will take an active role in reviewing subdivision applications for compliance with the various transportation and planning documents overseeing land use within the MPO and Planning jurisdictional area.

Locally Funded Activities

- All subdivision applications will be reviewed for compliance with local and state subdivision law.
- Staff will continue to carry out the day to day activities required to effectively administer the subdivision regulations, and to keep the regulations current.

- Continued implementation of the Suburban Subdivision Regulations within the County Zoning Jurisdiction area.

STAFFING

14.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- An effective subdivision review process with regard to local and state law, the Growth Policy, and the Billings Area Transportation Plan.
- Correctly identified street segments in alignment with the 2018 Transportation Plan Functional Classification Map.

FUNDING SCHEDULE - SUBDIVISION ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$45,600	\$106,400	\$152,000
TOTAL	\$45,600	\$106,400	\$152,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$55,500	\$129,500	\$185,000
TOTAL	\$55,500	\$129,500	\$185,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.13.300 LONG RANGE TRANSPORTATION PLANNING

300 TRANSPORTATION SYSTEM DATA (4310)

OBJECTIVE

- To develop and maintain current transportation system data files and records.
- To provide transportation planning and data information to City and County staff, elected officials, developers, engineering firms, and the general public.

ACCOMPLISHMENTS - FISCAL YEAR 2021

The traffic count program for FY 2021 was completed. Travel times/delay/speed studies were completed, calculations computed, and level-of-service values determined. This data was used for various planning and engineering projects throughout the year. In addition, the public commonly requests this data for land use planning.

Staff participated in the update of the City of Billings Capital Improvement Plan (CIP). Crash information was compiled and analyzed. Crash data is also used in many of the planning studies undertaken by the MPO. The staff also continued to utilize the trail scanners that were purchased and found new and better ways to both use the scanners in more trail locations in the community and display the data for various applications. The MPO also took over collection and distribution of the data from the Lockwood sidewalk counters purchased through the Lockwood Pedestrian Safety District.

The transportation data is also being used for our current Planning Studies including the 5th Avenue North Corridor Study, Billings Bypass Corridor Study, Safe Routes to School Plan Update and the Community Transportation Safety Plan (CTSP).

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- The traffic count program for the Billings Urban Area as well as the Yellowstone County influence area will be conducted and the appropriate data recorded during FY2022. All traffic count data will be submitted to the MDT by February 1, 2022.
- Crash data will be compiled and analyzed to determine high hazard locations, this includes work on the update to the CTSP .
- Staff will update, where appropriate, the City's Capital Improvement Program.
- The Contract Position with City Engineering has had a staff change, however, those duties of traffic and trail counts will continue.
- Staff will collect and maintain bike/pedestrian information through the trail census and use of the trail-bike/pedestrian scanners. The information from the bike/pedestrian counts links directly to the development of the LRTP and the MPO's non-motorized planning studies. These counts also contribute to other planning projects such as the Complete Streets Progress Report. This activity is in conjunction with MPO region wide planning.
- The traffic count data archive will be maintained and accessible for other agencies and the public.
- Data will also be used during proposed FY22 Planning Studies.

- The Bicycle-Pedestrian activities will continue. Duties will include but not limited to:
 - Maintain Bike/pedestrian data bases in conjunction with MPO region wide planning purposes.
 - Maintain data base for easement acquisition.

STAFFING

13.5 Staff Months – City/County Planning

11.0 Staff Months - City Engineering (Contract Position)

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning/MDT

PRODUCT

- Documentation as necessary, support of transportation grant programs, transportation system modeling, updated Traffic Count Program, and research and integration of traffic information into planning projects and development review activities.
- Current traffic count data. Traffic counts are vital for any long-range planning efforts and during development of commercial and residential projects. Traffic counts also directly relate to the development of projects in the LRTP and ultimately for programming in the TIP.
- Current bike/pedestrian counts. MPO uses these counts for the development of the non-motorized network. This information is used for the development of the Bike/Pedestrian Master Plan as well as for applications for various grants.
-

FUNDING SCHEDULE - TRANSPORTATION SYSTEM DATA

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$231,000	\$0	\$231,000
TOTAL	\$231,000	\$0	\$231,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$266,000	\$0	\$266,000**
TOTAL	\$266,000	\$0	\$266,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**This Includes - \$25,000 for Maintenance of the Billings MPO Travel Demand Model, Trail Counter purchase \$21,000.

301 TRANSPORTATION PLAN (4311)

OBJECTIVE

- Implement the Goals and Objectives in the Billings Long Range Transportation Plan.
- Develop (where necessary) and maintain data for the urban area in order to effectively monitor and evaluate the validity of the Transportation Plan.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Staff continued to implement the 2018 Long Range Transportation Plan. Elements in the Plan include Goals and Objectives, a Transit section, an analysis of the railroad interface with the community, and a review of current projects listed in the 2018 Study. The MPO did complete a LRTP Amendment to identify and account for the addition of a successful BUILD grant. The City will be receiving approximately \$11.6 million in BUILD funds to construct the Northwest Connector (Inner Belt Loop) and Skyline Trail. The amendment was adjusted to accommodate this project and make sure the LRTP met all FHWA and MDT conformity requirements.

Staff will continue to implement the 2017 Billings Area Bikeway and Trail Master Plan. This will include working with MDT, City and County Public Works and other organizations with the continued development of the non-motorized transportation system.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- The MPO will initiate an update to the 2018 Long Range Transportation Study in FY22. This project will span FY22 and FY23.
- Staff will work to implement the 2017 Billings Area Bikeway and Trails Master Plan.
- Staff will also integrate the 2018 Transportation Plan with the City's Capital Improvement Program to ensure consistency.
- Projects will continue to be reviewed for future implementation in the City's CIP and the MPO's TIP.

STAFFING

9.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Implementation of transportation projects identified in the Billings Area Bikeway and Trails Master Plan, the Transportation Improvements Program, Transportation Plan and the Capital Improvements Program.

FUNDING SCHEDULE - TRANSPORTATION PLAN

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$231,000	\$0	\$231,000
TOTAL	\$231,000	\$0	\$231,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$381,000	\$0	\$381,000
TOTAL	\$381,000	\$0	\$381,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**Approximately 50% or \$137,500 of the cost of the LRTP Update is included here.

302 PLANNING STUDIES (4312)

OBJECTIVE

- To update and develop site-specific plans and transportation studies where appropriate.

ACCOMPLISHMENTS - FISCAL YEAR 2021

- The Downtown Billings Traffic Study was finalized and approved by PCC in February of 2021. This public participation focused study gathered citizen input on alternatives identified by the City of Billings Engineering Division downtown traffic circulation study, primarily the conversion of one-way streets to two-way streets. Dowl Engineering was the successful consultant selected for this project. Creative outreach had to be considered due to the virus and the inability to meet face to face with the public. The final study can be found [here](#).
- Sanderson Stewart was chosen to complete the 5th Avenue North Corridor Feasibility Study; this study was started in July 2020. Initial outreach focused on individual stakeholder groups to gather input and comments regarding the project. With COVID-19, creative means to meet with stakeholders is being use and includes in-person (with social distancing protocols) and virtual opportunities. Currently, the study is in final local review with a PCC review in August 2021.
- Alta Planning + Design was chosen to complete the Bike/Scooter Share Feasibility Study. This project was completed in March of 2021. The study can be viewed at https://www.ci.billings.mt.us/DocumentCenter/View/44240/FINAL-Billings-Bike-Scooter-Share_Feb-2021
- The North Bypass Corridor Study began in January 2021, to date, the Consultant, Dowl has been preparing study development content and developing options for public outreach. A public website, www.billingsbypasscorridor.com is live and soliciting survey responses. A public open house was held on June 17th with very good attendance, over 70 community members attended. From that meeting, the website has received over 85 survey responses.
- The Safe Route to School Plan Update has just gotten underway. Through the RFP process, Toole Design was the successful consultant. The kickoff for that project is scheduled for July 8, 2021.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- Complete the North Billings Bypass Corridor Study. This study will evaluate transportation needs along the proposed alignment of the North Bypass. The study could include future access options as development occurs along the roadway, potential intersections, storm water management, bicycle and pedestrian access, and transportation safety along the corridor. The study would focus on the northern portion of the Bypass alignment, at the City/County interface north of the Yellowstone River. ***This study will be in conformance with MDT's existing Environmental Documents.***
- The MPO will continually research grant opportunities. This could include additional Federal grants similar to RAISE, or State and Local opportunities.
- Continue to update and distribute the MPO Heritage Trail Bike/Pedestrian Tour Maps.
- Implement and promote the web-based interactive Bike and Pedestrian Mobile Application.
- Complete the Community Transportation Safety Plan that will include a review and comparison of crash data and re-visit Emphasis Areas for update.

- Complete the update to the 2011 Safe Routes to School Plan for all the public Elementary Schools in Billings. Since that plan was completed, the School District underwent a re-districting and boundary changes. The goals of the plan are to enhance the safety of students traveling to and from school and increase the number of students walking or bicycling to school.
- Implement a second phase of a Safe Routes to School Plan by addressing Billings Middle, County Urban Elementary, and Private Schools for interest in the development of a Safe Routes to School Plan.
- The Planner I will be active in this work element as part of transportation planning elements within sub-area/neighborhood plans, as well as assisting with the development and information gathering on Transportation Planning Studies.

Locally Funded Activities

- Staff will be involved in the coordination through completion of all planning studies undertaken. This includes contract negotiations, coordination of citizen advisory groups, public meetings, overseeing contract deliverables and project wrap-up.

STAFFING

6.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Completed Urban Area-wide transportation studies for the North Billings Bypass Corridor Study, Community Transportation Safety Plan update, a Safe Routes to School Plan Update and a Middle, County Urban and Private School Safe Routes to School Plan.

FUNDING SCHEDULE – PLANNING STUDIES

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$261,000	\$174,000	\$435,000
TOTAL	\$261,000	\$174,000	\$435,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	60	40	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$140,400	\$93,600	\$234,000**
TOTAL	\$140,400	\$93,600	\$234,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

** Safe Routes to School Plan \$110,000; Grant Writing \$45,000.

41.15.500 TRANSPORTATION IMPROVEMENT PROGRAM

500 TRANSPORTATION IMPROVEMENT PROGRAM (4313)

OBJECTIVE

- To maintain a viable five-year program of transportation improvements for the Billings Urban Area.

ACCOMPLISHMENTS - FISCAL YEAR 2021

In March of 2021, the MPO was notified of an approved 2020-2024 TIP Amendment #1. June of 2020, a Transportation Improvement Program (TIP) covering the period of 2020-2024 was produced to reflect current project status. This included adding several new projects including the BUILD grant projects.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- A new Transportation Improvement Program (TIP) will be completed in FY22 to reflect current project status. A certification statement will be included, as appropriate, to conform to the planning regulations. Based on the Transportation Plan, projects will be evaluated and ranked in accordance with the Priority Ranking Procedures, and in accordance with consistency/conformity procedures. Necessary data will be gathered from primary and secondary sources by the planning staff based upon the Memorandum of Understanding with the City of Billings Public Works Department, establishing areas of data responsibility. Conformity determinations will be prepared as necessary to ensure conformity with the Clean Air Act.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A current transportation improvement program which reflects conformity with FHWA, the Clean Air Act, and local priorities.

FUNDING SCHEDULE - TRANSPORTATION IMPROVEMENT PROGRAM

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$35,000	\$0	\$35,000
TOTAL	\$35,000	\$0	\$35,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$36,000	\$0	\$36,000
TOTAL	\$36,000	\$0	\$36,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.16.600 SPECIAL PROJECTS

600 ENVIRONMENTAL CONSIDERATIONS (4314)

OBJECTIVE

- Maintain current records of monitored air pollution levels and obtain other environmental data as necessary within the Metropolitan Planning Area.
- Review proposed development and transportation system improvements with respect to environmental considerations within the MPO influence area.

ACCOMPLISHMENTS - FISCAL YEAR 2021

The MPO was notified that in July of 2021 the Billings Urban Area was removed from the Air Quality's "Not Classified" list. The MPO is now designated as an Attainment Area and will move the update of the LRTP from 4-years to 5-years.

Air quality monitoring information was obtained from the County Air Pollution Control Board. Air quality mapping for the State Air Quality Bureau was revised. The Congestion Mitigation Air Quality (CMAQ) program was implemented. Staff continues to monitor carbon monoxide (CO) information in the Urbanized Area.

The Socio-Economic and Environmental (SEE) effects guidelines were used to review proposed developments and transportation system improvements.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- The planning staff will continue to utilize the SEE effects guidelines to evaluate all major development proposals in terms of transportation systems. This would include the CMAQ program.
- Work will continue to maintain the Billings air quality designation.
- Staff will continue to review the MOVES Program and others like it and their relationship to the MPO.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

Current environmental data as well as a comprehensive planning and transportation planning process that will substantially addresses the socio-economic and environmental consequences associated with growth and development.

FUNDING SCHEDULE - ENVIRONMENTAL CONSIDERATIONS

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$34,000	\$0	\$34,000
TOTAL	\$34,000	\$0	\$34,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$35,000	\$0	\$35,000
TOTAL	\$35,000	\$0	\$3,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.17.700 OTHER ACTIVITIES

700 UN-PROGRAMMED FUNDS (4315)

OBJECTIVE

- To provide for the accounting of available un-programmed funds in the current UPWP.

ACCOMPLISHMENTS - FISCAL YEAR 2021

N/A

PROPOSED ACTIVITIES - FISCAL YEAR 2022

PL Eligible Activities

- This work element will be utilized for accounting purposes only. No specific work activity will be charged to this work element.

STAFFING

N/A

FUNCTIONAL AGENCY RESPONSIBILITY

N/A

PRODUCT

N/A

FUNDING SCHEDULE - CONTINGENCY

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$586,700	\$100	\$586,800
TOTAL	\$586,700	\$100	\$586,800

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	100	100

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$326,181	\$109,400	\$435,581
TOTAL	\$326,181	\$109,400	\$435,581

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SECTION II -- FUNDING

**TABLE I
FUNDING SUMMARY
FEDERAL FISCAL YEAR 2022**

WORK ELEMENT	FUNDING SOURCES FY 2022		
	PL *	LOCAL	EST. COST
100 Administration	\$247,500	\$202,500	\$450,000
101 Service	25,000	25,000	50,000
102 Citizen Involvement	40,000	40,000	80,000
200 Community Planning	90,000	210,000	300,000
204 Zoning	37,000	148,000	185,000
205 Subdivision	55,500	129,500	185,000
300 Transportation System	266,000	0	266,000
301 Transportation Plan	381,000	0	381,000
302 Planning Studies	140,400	93,600	234,000
500 T.I.P.	36,000	0	36,000
600 Environmental	35,000	0	35,000
700 Un-Programmed Funds	326,181	109,400	435,581
TOTAL	\$1,679,581	\$958,000	\$2,637,581

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**TABLE II
FUNDING COMPARISONS**

WORK ELEMENT	FY 2022 ESTIMATED COST	FY 2021 ESTIMATED COST
100 Administration	\$450,000	\$420,000
101 Service	50,000	44,000
102 Citizen Involvement	80,000	70,000
200 Community Planning	300,000	257,000
204 Zoning Administration	185,000	152,000
205 Subdivision Administration	185,000	152,000
300 Transportation System Data	266,000	240,000
301 Transportation Plan	381,000	231,000
302 Planning Studies	234,000	435,000
500 T.I.P.	36,000	35,000
600 Environmental Considerations	35,000	34,000
700 Un-Programmed Funds	435,581	586,800
TOTAL	\$2,637,581	\$2,656,800

TABLE III
FUNDING PERCENTAGES FEDERAL FISCAL YEAR 2022

WORK ELEMENT	RECIPIENT	PL	LOCAL	TOTAL
100 Administration	MPO	55	45	100
101 Service	MPO	50	50	100
102 Citizen Inv.	MPO	50	50	100
200 Community Planning	MPO	30	70	100
204 Zoning Administration	MPO	20	80	100
205 Subdivision Admin.	MPO	30	70	100
300 Trans. System Data	MPO	100		100
301 Transportation Plan	MPO	100		100
302 Planning Studies	MPO	60	40	100
500 T.I.P.	MPO	100		100
600 Environmental	MPO	100		100
700 Un-Programmed Funds	MPO	100		100

TABLE IV
STAFF MONTHS BY WORK ELEMENT FISCAL YEAR 2022

WORK ELEMENT	DIRECTOR	SENIOR PLANNER (TRANS)	PLANNER I	PLANNING MANAGER	PLANNER II	CLERK	PLANNER II	PLANNER I	PLANNER I (Vacant)	SENIOR PLANNER (ZONING)	Active Trans. Planner I	TOTAL M.M.
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	2	1	5.5	28
101	.5		1				.5	.5		1		3.5
102	.5		.5	.5	.5	.5	1	.5				4
200	1.5		5	2	1	2	1	5	3	1	2.5	24
204			.5	.5		.5	.5	2	3	6		13
205			.5	1		.5	7.5		3	2		14.5
300		2.5	.5	.5	5	2					3	13.5
301	.5	4		.5	2	2						9
302	.5	1		.5	1	1		2.5				6.5
500	.5	1			.5	.5						2.5
600		1	.5		.5	.5						2.5
TOTAL	11	11	11	11	11	11	11	11	11	11	11	121

*This table indicates approximately how many man months individual staff members work in each work element.

WORK ELEMENT	CITY TRAF. TECHNICIAN
300	11
TOTAL	11

SECTION III

INDIRECT COST PLAN

INTRODUCTION

The Office of Management and Budget Circular 2 CFR Part 200 is used as governing criteria for establishing the allowed costs.

IDENTIFICATION OF COSTS

The costs are delineated below by type:

DIRECT	INDIRECT	BENEFITS
Salaries & Wages	Maintenance	FICA
Legal Notices	Reproduction	PERS
Travel	Supplies	Workmen's Compensation
Printing	Postage	Accident Insurance
Training	Subscriptions	Health Insurance
Consultants	Telephone	Sick Leave
Equipment	Utilities	Vacation
Mileage	Rent	Holidays
Moving/Interview	Audit	Maternity
	Messenger	Military
		Life Insurance
		Dental Insurance

ALLOCATION OF COSTS

Direct costs will be charged to the work program line item to which they apply.

An indirect cost rate of **9%** of the City and County's direct salaries and wages is proposed. The **9%** rate will be applied to the direct wages and salaries of each line item within the work program to cover all indirect expenses.

Benefits will be calculated at a rate of **53%** of the City and County's direct salaries and wages charged to each line item.

FUNDING SOURCES

The degree of participation by each funding agency is based on the prorations which have been determined for each line item. Each agency will be billed their share of the total charges made against each line item according to the approved prorations.

Funding sources and amounts contained in the UPWP are as follows:

Planning Dept. Fees (City of Billings)	\$280,000
Planning Dept. Fees (Yellowstone Co.)	\$155,000
Yellowstone County (Mill)	\$523,000
PL*	\$1,679,581
TOTAL	\$2,637,581

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SUMMARY

The indirect cost rate is a predetermined fixed rate which is not subject to adjustment. The base period used in determining the rate is the period from July 1, 2020 through June 30, 2021. The calculated rate is applicable to the grant period, which is October 1, 2021 through September 30, 2022.

LIST OF ACRONYMS

ADA	American Disability Act
BSED	Big Sky Economic Development
BUILD	Better Utilizing Investments to Leverage Development
CAC	Citizen Advisory Committee
CMAQ	Congestion Mitigation Air Quality
CTSP	Community Transportation Safety Plan
EBURD	East Billings Urban Renewal District
FAST Act	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HPMS	Highway Performance Monitoring System
LRTP	Long Range Transportation Plan
MDT	Montana Department of Transportation
MPO	Metropolitan Planning Organization
PCC	Policy Coordinating Committee
PEP	Private Enterprise Participation
PL	Planning Funds
RAISE	Rebuilding American Infrastructure with Sustainability and Equity
TA	Transportation Alternative Program
TAC	Technical Advisory Committee
TDP	Transit Development Plan
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
YCBP	Yellowstone County Board of Planning

CHAPTER II

CITY OF BILLINGS TRANSIT DIVISION

SECTION I UNIFIED PLANNING WORK PROGRAM ELEMENTS

44.21.00 PROGRAM SUPPORT & ADMINISTRATION

44.21.01 ADMINISTRATION

OBJECTIVE

- To provide program support, general administration, and grant administration
- To provide training in support of transit planning activities.

ACCOMPLISHMENTS - FISCAL YEAR 2021

Conformance with federal, state, and local administrative and regulatory requirements for maintenance of transit planning and development as well as execution of developed plans.

Staff remained informed of Federal and State requirements concerning all federal funding sources including, but not limited to, sections 5303, 5307, 5310, and 5339. Staff also adjusted grants in response to the CARES Act, the American Rescue Plan, and Federal Transit Administration COVID response.

Staff continued to manage and execute programmed aspects of awarded 5339.

Staff attended training opportunities to enhance knowledge and skills, including the Montana Transit Association conference and multiple webinars focusing on the Transit Safety Plan requirements, Transit Asset Management, and COVID response.

Researched, developed and recommended significant budget structure modifications to facilitate increased efficiency in data gathering and compilation for NTD reports as well as other required reports.

Staff maintained and updated the Transit Asset Management (TAM) Plan with upcoming and in- process capital projects, as well as fleet and facility metrics to ensure accurate capital and asset planning.

Developed and implemented the federally required Public Transit Agency Safety Plan for MET Transit, which received council approval in December of 2020; this

included significant development of additional training programs for staff, risk assessment procedures, mitigation strategies, and safety promotion strategies.

Staff researched and recommended modifications to record keeping practices to enhance grant management, National Transit Database reporting, and the overall planning process.

Staff managed FTA Section 5303 grant activities and prepared the transit aspect of Unified Planning Work Program. Staff prepared an amendment to the 2021 UPWP to support MDT transfer of additional planning funds.

Transit members attended and participated in diverse range of transit-related and general community meetings including the Billings Technical Advisory Committee (TAC), the Policy Coordinating Committee (PCC), City of Billings Transportation Team meetings, Healthy By Design Coalition meetings, and various project specific coordinating committees for transportation related projects. As the lead agency on the Coordinated Human Services Transportation Plan Committee, staff also provided guidance and updates to the plan.

PROPOSED ACTIVITIES - FISCAL YEAR 2022

All administrative functions necessary in support of transit planning and development will be performed under this work element. Activities will include:

- Continuing to assess data-keeping and gathering practices with focus on further technology utilization and process improvement.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation, Urban Planning Division to maintain funding requirements.
- The FY 2022 UPWP will be monitored and revised as necessary.
- The FY 2023 UPWP for transit activities will also be developed within this element.
- Staff will execute grant administrative functions; staff will continue research and development regarding the utilization of FTA funding, including furthering innovative funding practices and partnerships.
- Maintenance of coordination agreements with 5310 providers and, as the lead agency, updates to the Billings Area Human Services Transportation Coordination Plan.
- Research feasibility and make recommendations for capital grants as advised by the Transportation Coordination Plan Committee.
- Research feasibility and make recommendations for capital grants in the 5339 Bus and Bus Facilities programs and other funding opportunities utilizing the TAM plan as well as the City Equipment Replacement plan.
- Participation in recognized and approved training programs in order to improve skills and capabilities.

- Division policy assimilation of documents, regulations, codes, and practices to ensure compliance with federal, state, and local requirements as they relate to the transit planning process.
- Participate with the TAC, Transportation Coordination Plan Committee, citizen advisory boards and other committees throughout the community as needed.
- Staff will continue updating and maintaining the FTA mandated Transit Asset Management Plan
- Staff will continue to implement the required Public Transit Agency Safety Plan including annual updates as well as further research and development of best practices.

STAFFING

185.00	Transit Manager Staff Hours
55.50	Transit Supervisor Staff Hours (4 positions)
74.00	Administrative Support Staff Hours (1 positions)
37.00	Aviation/Transit Director Staff Hours
351.5	Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- An ongoing administrative program to carry out the transit elements identified within this UPWP
- Administrative oversight and execution of transit planning and development functions including federally required plans.
- Enhancement of transit division skills and knowledge.
- Proper maintenance and administration of grant related activities.

FUNDING SCHEDULE - ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$5,743	\$22,973	\$28,716
TOTAL	\$5,743	\$22,973	\$28,716

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$5,689	\$22,754	\$28,443
TOTAL	\$5,689	\$22,754	\$28,443

SHORT RANGE TRANSPORTATION PLANNING

01 FUTURE SERVICE ANALYSIS AND ENHANCEMENTS

OBJECTIVE

To facilitate considerations of means to ensure citizens will have acceptable and improved public transportation alternatives in the future.

ACCOMPLISHMENTS FISCAL YEAR 2021

Members of the transit division updated projections of future revenues and expenses and directed annual budget and financial resources analysis, including multi-year forecasts.

Staff arranged for and ensured execution of on-going data gathering and analysis efforts to monitor current system effectiveness and efficiency. This assisted in identification of operating and capital needs required to ensure a reliable and effective system into the future.

Transit Division members continued operational analysis of the transit system including analysis and developed identified goals to be addressed with the programmed Transit Development Plan; development of this plan will carry forward into FY 2022.

Staff continued development and recommendation of alternative service models for fixed-route systems in anticipation of changing ridership demands.

Staff researched and recommended routing areas to pilot and assess the transition from a flag stop fixed-route system to a designated stop system.

Assessed feasibility of additional capital projects utilizing CARES Act and ARP funds with a focus on increasing system safety.

Staff tracked and compiled on-going ridership metrics by route and mode to support planning practices.

Staff provided information and comments related to transit at meetings geared toward development, annexation, and traffic projects. Staff also received and responded to system inquiries, concerns, complaints, and suggestions.

PROPOSED ACTIVITIES FISCAL YEAR 2022

Functions necessary in support of future transit planning and development will be performed under this work element, including continuation of activities undertaken in FY 2021. These activities necessitate the ongoing cloud-based software costs for route development and planning, which is included under this element. Activities are as follows:

- Complete initial development and implementation of a Transit Development Plan including both short term and long term transit goals. This activity is being carried forward from the 2021 UPWP as the competitive request for consultation services is currently being developed.
- Continue the analysis of transitioning the system to designated stops and use lessons learned to develop and finalize a bus stop master plan and strategy for continued improvements.
- Finalize fixed-route system modifications in response to items identified via the creation and implementation of the Transit Development Plan.
- Continue investigating feasibility of expanding service beyond existing city limits and engage county stakeholders in discussion regarding potential for service to outlying areas.
- Performance of financial analysis and planning in support of modified frequency and service.
- Assessing ongoing and future capital and operating requirements based upon projected demand and growth. Assess financial and infrastructure requirements of transitioning eligible fleet vehicles to electric or alternative fuel sources. Assess feasibility of adding additional green technology to facility locations.
- Continue research on feasibility of additional technology conveniences for passengers including modifications to established electronic fare system and amenities at transfer centers.
- Continuation of planning efforts regarding public and stakeholder involvement and input opportunities, including recruiting involvement from key partners.
- Facilitation of public meetings to support planned system improvements as well as specialized services for seniors and disabled.

STAFFING

420.00	Transit Manager Staff Hours
210.00	Transit Supervisor Staff Hours (4 positions)
168.00	Administrative Support Staff Hours (2 positions)
<u>84.00</u>	Aviation/Transit Director Staff Hours
882.00	Total Staff Hours

PRODUCT

- Identification of and plans for efficient and effective transit service into the future.
- Financial and capital analyses for future transit enhancements.
- Identification and assistance in implementation of future system modifications.

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

FUNDING SCHEDULE – FUTURE SERVICE EVALUATION AND ANALYSIS

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$31,906	\$127,623	\$159,529
TOTAL	\$31,906	\$127,623	\$159,529

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$16,905	\$67,622	\$84,527
TOTAL	\$16,905	\$67,622	\$84,527

02 CURRENT SERVICE ENHANCEMENT

OBJECTIVE

To improve service, ridership, and effectiveness of the existing transit system.

ACCOMPLISHMENTS FISCAL YEAR 2021

Division members assessed upcoming and immediate operational needs and made recommendations on capital and operational projects.

Staff successfully completed the implementation of the Touchpass electronic fare system for fixed-route operations; staff developed modified practices and procedures to provide increased support to customers during and after transition to the new system.

Leveraged data gained from the electronic fare system to make recommendations to admin regarding metric tracking and budget structure.

Researched, recommended, and assisted in development of a staff position focused upon system marketing and outreach in order to ensure adequate and available information for the public as well as increased awareness and community support of the transit system. Division members monitored operational data to analyze ongoing improvements to routes and schedules, identifying minor system changes and implementing improvements as possible to existing routes and

services. This included development of modified internal scheduling practices to ensure continued service during the COVID-19 health crisis with minimal impact to the system ridership. Further, staff also created alternative schedules for the Fall of 2021 to accommodate for the nationwide difficulty in hiring qualified employees to fill operator positions.

Staff reviewed ridership data in analysis of system functioning and passenger miles travelled metrics; members also provided monthly ridership analysis (including ADA lift use and bike rack use), assessed ridership trends, and prepared other information on system functioning as requested.

Staff prepared National Transit Database reports for monthly submission of required metrics as well as annual reporting requirements.

Staff members regularly participated in group meetings and committee meetings (both in person and virtual) to solicit partner and public feedback on current system usage, demands, successes and shortfalls.

PROPOSED ACTIVITIES FISCAL YEAR 2022

Functions necessary in support of planning and development of enhancements to the current systems will be performed under this work element, including continuation of activities undertaken in FY2020. Activities are as follows:

- Complete initial development and implementation of a marketing strategy to guide market research, promote public awareness and increase ridership. This activity is being carried forward from the 2021 UPWP as the competitive request for consultation services is currently being developed.
- Develop and implement further outreach programs to increase community engagement through partnerships and other forms of participation.
- Identification and implementation of means to improve current service, including ongoing system analysis of efficiency and effectiveness with recommendations on immediate improvements for the current transit system.
- Development of a regular, bi-annual community surveys regarding transit use, support, and feedback.
- Assessment of current personnel usage for areas of improvement in utilization of resources and effectiveness.
- Procurement and implementation of further technology enhancements to the existing technology solutions system to gather data, improve efficiency, provide further customer conveniences, and enhance safety.
- Maintain monthly ridership figures and summary figures for effective decision-making. ; complete related National Transit Database reports.
- Solicit and record public reaction to any modified routes, schedules, marketing efforts, and technology enhancements.
- Assessment of current budgetary impact of potential improvements.

STAFFING

372.00	Transit Manager Staff Hours
186.00	Transit Supervisor Staff Hours (4 positions)
148.80	Administrative Support Staff Hours (2 positions)
74.40	Aviation/Transit Director Staff Hours
817.20	Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- Information relating to potential enhancements for existing service and system.
- Recommendations for immediate improvements.
- Information and recommendations on passenger marketing and outreach
- Analyses of current system functions.
- Budget alternatives.

FUNDING SCHEDULE – CURRENT SERVICE ENHANCEMENTS

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$16,734	\$66,935	\$83,669
TOTAL	\$16,734	\$66,935	\$83,669

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$12,316	\$49,265	\$61,581
TOTAL	\$12,316	\$49,265	\$61,581

44.25.00 Transportation Improvement Program (TIP)

01 T.I.P

OBJECTIVE

To maintain a viable five year program of transit improvements for the Billings Urbanized Area.

ACCOMPLISHMENTS FISCAL YEAR 2021

Developed Transit specific updates for a TIP/STIP amendment, including programming for selected capital programs in relation to CARES Act funding. Updated projects were also added to the Division's Transit Asset Management Plan (TAM), Capital Improvement Plan (CIP), and Equipment Replacement Plan (ERP).

Monitored projects for inclusion in the TIP and STIP. The Statewide Transportation Improvement Program (STIP) process was also addressed and monitored.

Attended and participated in MPO meetings.

PROPOSED ACTIVITIES FISCAL YEAR 2022

Functions necessary in support of transit related project inclusion in the Transportation Improvement Program will be performed under this work element. Activities are as follows:

- Division members will develop and compile information on operating and capital projects which MET Transit plans to pursue grant assistance for inclusion in the TIP; this includes utilizing and updating the Division's TAM, CIP, and ERP as required.
- All applicable projects will be provided to the MPO for inclusion in the program.
- Staff will monitor inclusion in the TIP and STIP to ensure ability to obtain federal Sections 5307, 5310 & 5339 and other applicable grants are not affected.

STAFFING

55.28	Transit Manager Staff Hours
16.58	Transit Supervisor Staff Hours (4 positions)
22.11	Administrative Support Staff Hours (1 position)
11.06	Aviation/Transit Director Staff Hours
105.03	Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit will provide transit-related information to the City/County Planning Department for the MPO's inclusion in the TIP document.

PRODUCT

- Monitoring of plans including Transit Asset Management, the Capital Improvement Program, and components of the Equipment Replacement Plan for related projects.
- Annual inclusion of projects in TIP as necessary per FTA regulations.
- Amendments to TIP as necessary to include new projects.

FUNDING SCHEDULE – T.I.P.

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE			
AGENCY	LOCAL	FTA	TOTAL
MET	\$2,034	\$8,138	\$10,172
TOTAL	\$2,034	\$8,138	\$10,172

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE			
AGENCY	LOCAL	FTA	TOTAL
MET	\$1,700	\$6,799	\$8,499
TOTAL	\$1,700	\$6,799	\$8,499

44.26.00 Implementation of Americans with Disabilities Act (ADA)

01 IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT (ADA)

OBJECTIVE

To ensure optimal use of City of Billings funds in meeting the transportation needs of seniors and individuals with disabilities in both demand response and fixed route transportation in accordance with Federal Regulations, especially concerning the Americans with Disabilities Act (ADA).

ACCOMPLISHMENTS FISCAL YEAR 2021

Researched, developed and implemented additional training procedures for transit operators to improve paratransit customer service, procedures, and policies.

Staff investigated methods to improve paratransit efficiency and cost-effectiveness, including transitioning paratransit fare media to electronic client accounts and balances.

Executed, planned, implemented additional procedures to ensure dispatch and scheduler responsibilities could integrate with the increased demand placed on the system due to the change over in fare collection systems and practices. Continued evaluating practices for potential modification in regards to new dispatching software implementation as well as other technology implementations.

Members also assessed financial and operational functioning of paratransit services including contractual agreements with area agencies including the Adult Resource Alliance and the State of Montana Developmental Disabilities Bureau. These agreements were subsequently re-negotiated, updated, and modified to ensure more effective transportation service to seniors and individuals with disabilities.

Staff monitored procedures and policies involving ADA accessible fixed-route service and other accessibility features/requirements and updated with relevant findings.

Assessed and recommended procurement of smaller ADA equipped vehicles to enhance paratransit service efficiencies.

Staff familiarized passengers with fixed route system use as appropriate via MET's travel training program.

Staff continued to coordinate transportation services among 5310 transit providers, social service agencies and the general public to provide an overall strategy to enhance transportation access, minimize duplication of services and facilitate the most appropriate cost-effective transportation possible within available resources. This also included outreach and engagement to improve and advance the coordination plan as well as to improve community relations.

PROPOSED ACTIVITIES FISCAL YEAR 2022

Functions necessary in support of planning and development of transit related Americans with Disabilities projects, procedures, outreach, and other related activities will be performed under this work element. Activities are as follows:

- Research, develop, and implement improvements to current travel training options to the public using available technology and updated delivery methods.
- Staff will continue to provide outreach and education for professionals, organizations, and other identified entities in the community including participating on advisory groups in order to maintain positive relationships with individuals with disabilities and senior communities.

- Staff will continue to facilitate and encourage involvement in regular Billings Area Human Services Transportation Coordination Plan meetings with human service providers, social service agencies, transportation providers and the public to coordinate efforts associated with transit capital and service planning.
- Continue to facilitate effective service provision and usage of lift-equipped fixed-route vehicles; assess and recommend capital and operational projects with the intent of supporting existing service and adding potential enhancements.
- Continue identification of means to address transit and paratransit needs, assessing both short and long term paratransit needs, the organizational and financial capabilities of addressing those needs, and the inclusion of such needs in the Transit Development Plan.
- Continue paratransit system analysis for efficiency and effectiveness in relation to the current COVID crisis and workforce shortage, with emphasis on demand and best utilization of paratransit resources moving forward.
- Continue community outreach to the public and organizations in support of improving access to transportation for seniors, individuals with disabilities, and low-income populations; continue participation on community committees meetings while exploring avenues for further outreach and engagement.
- Continue working with contracted providers in execution of agreements including existing agreements with the Adult Resource Alliance and the State of Montana, ensuring modifications are made as necessary to increase the efficiency and effectiveness of service.

STAFFING

350.10	Transit Manager Staff Hours
175.05	Transit Supervisors Staff Hours (4 positions)
140.04	Administrative Support Staff Hours (1 position)
<u>70.02</u>	Aviation/Transit Director Staff Hours
735.21	Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- Continued consensus with and support of City of Billings compliance with ADA regulations related to transit
- Continued community consensus and support of City of Billings methods for addressing of specialized needs, including lift-equipped vehicles and other options for individuals with disabilities and seniors.
- Recommendations and proposals for enhancements to existing system and programs in support of ADA compliance and regulations aimed at increasing efficiency and effectiveness.
- Public involvement and feedback regarding potential system enhancements in support of transportation for seniors and individuals with disabilities.

FUNDING SCHEDULE – ADA SERVICE

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$14,064	\$56,257	\$70,321
TOTAL	\$14,064	\$56,257	\$70,321

FUNDS PROGRAMMED - FISCAL YEAR 2022

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	\$11,591	\$46,364	\$57,955
TOTAL	\$11,591	\$46,364	\$57,955

SECTION II FUNDING SUMMARY

FEDERAL FISCAL YEAR 2022

WORK ELEMENT	FUNDING SOURCES FY 2022			STAFF HOURS
	LOCAL	FTA	EST. COST	
44.21.01 Administration	\$5,689	\$22,754	\$28,443	351.50
44.24.01 Future Service	\$16,905	\$67,622	\$84,527	882.00
44.24.02 Current Service	\$12,316	\$49,265	\$61,581	817.20
44.25.01 T.I.P.	\$1,700	\$6,799	\$8,499	105.03
44.26.15 ADA Service	\$11,591	\$46,364	\$57,955	735.21
Planning Software	\$3,000	\$12,000	\$15,000	N/A
TOTAL	\$51,201	\$204,804	\$256,005	2890.94

ALLOCATION OF COSTS

Expenditures identified include direct costs, benefits at the rate of 48% of direct salary or wages, and indirect costs at the rate of 11% of direct salary or wages.

Federal Transit Administration Section 5303 funding is available at an 80% reimbursement rate, meaning the local to FTA funding ratio for all categories is 20% local, 80% federal.

B.O.C.C. Regular

Agenda Item 2. a.

Meeting Date: 08/03/2021

Title: Notice of Proposed FY22 RSID Assessments

Submitted For: Jennifer Jones

Submitted By: Jennifer Jones

TOPIC:

Notice of Proposed FY22 RSID Assessments

BACKGROUND:

Annual Notice of Proposed FY22 RSID Assessments

RECOMMENDED ACTION:

Approve

Attachments

RSID Assessments

Notice of Proposed FY22 Rural Special Improvement District (RSID) Assessments

Yellowstone County is proposing assessments for Rural Special Improvement Districts (RSID's) at various levels of assessment. Property owners residing within RSID boundaries are being provided this information for review and comment purposes. Property owners desiring to comment on the proposed assessments may send a letter or email to the County or attend the board meeting on August 17, 2021, to be heard.

On August 17, 2021 @ 9:30 a.m. in Room 3108 of the Stillwater Building (316 N 26th Street), assessments will be adopted via a resolution by the Board of County Commissioners after consideration of the public input.

To access this information, property owners can review the proposed assessment on Yellowstone County's Website at:

http://www.co.yellowstone.mt.gov/publicworks/RSIDs/RSIDMaint_History_Proposed.pdf

Information contained in the worksheet includes the proposed FY22 assessments and district expenditure and assessment history for the past 3 fiscal years. For additional history detail, please contact Yellowstone County Finance (jjones@yellowstonecountymt.gov).

Comments or concerns can be sent to:
Yellowstone County
PO Box 35003
Billings, MT 59107

B.O.C.C. Regular

Agenda Item 2. b.

Meeting Date: 08/03/2021

Title: Final Budget Public Hearing Notice

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Notice of Public Hearings for the Purpose of Considering the Final Budget for FY21-22 (FY22); Setting FY22 County Mill Levies and Budget Amendments for FY21 and Grant Budget Amendments for FY21-22 - the Public Hearings will be held Tuesday August 31, 2021 and Tuesday September 7, 2021 at 9:30 a.m. in Room 3108

BACKGROUND:

See attached notice.

RECOMMENDED ACTION:

Approve.

Attachments

Final Budget Public Hearing Notice

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Yellowstone county, Montana will conduct public hearings for the purpose of considering the final budget for fiscal year 2021-2022 (FY22); setting FY22 County mill levies; the proposed use of statutory levy authority for the County's health insurance plan; budget amendments for fiscal year 2021 and grant budget amendments for fiscal years 2021 & 2022. The budget amendments for FY21 consist of budget modifications for grants, budget changes, and intrafund line item transfers. The budget will be placed on file and open to public inspection in Room 3101, third floor, Stillwater Building (316 North 26th Street) on August 27, 2021. **The Board of County Commissioners of Yellowstone County will meet on Tuesday, August 31, 2021 at 9:30 a.m. and Tuesday September 7, 2021 at 9:30 a.m. in the Commissioner's Board Room 3108, third floor of the Stillwater Building,** and any taxpayer may appear at said meeting and provide testimony either for or against any part of the final budget, mill levies, or budget amendments. Final Adoption of the fiscal year 2021-2022 budget shall take place on Tuesday September 7, 2021.

DATED this 3rd day of August, 2021

/s/Jeff Martin, Clerk and Recorder
Yellowstone County, Montana

Advertise August 20, 2021 and August 27, 2021

B.O.C.C. Regular**Agenda Item 3.****Meeting Date:** 08/03/2021**SUBJECT:** RL Subdivision - Preliminary Minor Plat**THROUGH:** Monica Plecker**FROM:** Dave Green

TOPIC

RL Subdivision - Preliminary Minor Plat

INTRODUCTION

On July 1, 2021, the Planning Division received an application for RL Subdivision minor preliminary plat. The property is generally located between 54th Street West and 58th Street West, south of Rimrock Road. This subdivision would create 2 lots from an 87.315-acre parcel of land. The applicant is proposing to create two lots for future development. The land is within the County Zoning Jurisdiction and is zoned N4 – Large Lot Suburban Neighborhood. A large part of the land is used for farming, the remaining portions are dryland grasses and trees.

RECOMMENDATION

Staff recommends the Board of County Commissioners conditionally approve the preliminary plat of RL Subdivision and adopt the Findings of Fact as presented in the staff report.

VARIANCE REQUESTED

The subdivider has not requested any variances.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To ensure safe roads and access to the subdivision, prior to final plat approval, the applicant will provide an additional 15 feet of right of way for Colton Boulevard and work with County Public Works to determine access points and 1 foot no access strips along 54th and 58th Streets West. The no access strip shall be depicted on the final plat.
2. To minimize effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be completed by the County Weed Department.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
4. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, including laws regarding moving houses onto or off the property, and the laws and Administrative Rules of the State of Montana.

PROCEDURAL HISTORY

- Pre-application meeting June 3, 2021
- Preliminary plat application submitted to Planning Division July 1, 2021
- Preliminary plat to Yellowstone County Board of County Commissioners August 3, 2021
- 35 working-day preliminary plat review period ends August 19, 2021.

PLAT INFORMATION

General location: Between 54th Street West and 58th Street West, south of Rimrock Road

Legal Description: Yellowstone Meadows Phase 3, Block 7, Amended Planting area, Amended Block 7 & Tract 2, COS 3618

Owner/Subdivider: Regal Land Development Inc.

Surveyor/Engineer: Site Pro LLC and Performance Engineering

Existing Zoning: N4

Proposed Zoning: N4

Existing Land Use: Farming / dryland grasses and trees

Proposed Land Use: Farming / dryland grasses and trees

Gross area: 87.315 acres

Net area: 87.315 acres

Proposed number of lots: 2

Max.: 55.67 acres

Min.: 31.65 acres

Parkland requirements: There is no required parkland dedication as this is a minor subdivision.

PLANNING BOARD PUBLIC HEARING DISCUSSION

A public hearing is not required for minor subdivisions, however nearby property owners may attend the Board of County Commissioners meeting to provide public comment. The Planning Division has received no public comments or questions regarding the proposed subdivision at the time of the writing of this staff report.

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS FINDINGS OF FACT

See Attachment Findings of Fact

CONCLUSIONS OF FINDINGS OF FACT

See Attachment Findings of Fact

RECOMMENDATION

Staff recommends the Board of County Commissioners conditionally approve the preliminary plat of RL Subdivision and adopt the Findings of Fact as presented in the staff report.

Attachments

Findings of Fact

Proposed Preliminary Plat

SIA / Waiver

FINDINGS OF FACT

The City-County Planning Division Staff has prepared the Findings of Fact for RL Subdivision. These findings are based on the preliminary plat application and supplemental documents addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife and wildlife habitat and public health and safety (76-3-608 (3) (a) MCA) (Section 3.2 (H) (2) YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is partially used for agricultural purposes. The Hi-Line Canal does run through a part of proposed Lot 2 of this subdivision. There are no water rights or shares for water from the Hi-Line Canal. This proposed subdivision will have minimal impact on water users' facilities. There are no plans for this subdivision to develop as two large lots. They will be subdivided in the future into smaller parcels for development. The effect on agriculture and agricultural water users' facilities will be minimal if any at all.

2. Effect on local services

a. **Water and Septic** – This subdivision will not be developed as two single lots of 55 and 31-acre parcels. There will be no water or septic systems developed with this subdivision. Both lots are over the 20-acre size for review. In the future when the lots are further subdivided for development, they will be required to have a review of any proposed water and septic systems.

b. **Streets and roads** – There will be no roads built around or within this proposed subdivision. Access to the proposed lots is from 54th Street West and 58th Street West. They will need to provide an additional 15 feet of right of way for Colton Boulevard. County Public Works has also requested a 1 foot no access strip to be shown on the along the 54th and 58th with an access point shown along the roads to the lots. **(Condition #1)**

c. **Fire and Police services** – The property is within the Billings Urban Service Area (BUFSA). Subdivision regulations do not require the developer to install any fire suppression systems with only two lots being proposed.

The Yellowstone County Sheriff's Department will provide law enforcement services to this subdivision.

d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.

e. **Storm water drainage** – Storm water drainage shall remain as historically has been taking place on the property. There will be no changes to stormwater drainage on the land

at this time.

f. **School facilities** – The proposed subdivision is located within School Districts #2. Development on the lots is not proposed at this time, there will be no effect on School District #2.

g. **Parks and recreation** – This proposed subdivision is not required to provide parkland. Yellowstone County Subdivision Regulations Section 10.8 A. A Minor Subdivision is not required to provide parkland.

h. **Postal Service** – There is no proposed development on these two lots. No postal service will be required at this time.

i. **Historic features** – No known historic or cultural assets exist on the site.

j. **Phasing of Development** - The applicant is not proposing to develop this subdivision in phases.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. As required by County Subdivision Regulations Section 4.15 all county subdivisions are required to apply for and obtain a weed management plan with the County Weed Department. That plan will be submitted with final plat approval. **(Condition #2)**

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. A paragraph in the 'Conditions that Run with the Land' section of the SIA warns future lot owners of the likely presence of wildlife in the area and their potential to damage residential landscaping.

5. Effects on public health and safety

Plans and designs for the water and septic system will not be reviewed at this time, there is no proposal to develop the lots at this size. Both lots are over 20 acres and do not require review.

Fire and emergency services are provided for this proposed subdivision from BUFSA and the Yellowstone County Sheriff's department.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-603 MCA) (Chapter 9, YCSR)

An environmental assessment was not required for this subdivision pursuant Section 9.2 C. 1. of the County Subdivision Regulations.

C. Does the subdivision conform to the Yellowstone County 2008 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan Update? [BMCC 23-302.H.4.]

1. Yellowstone County - 2008 Growth Policy

The subdivision is consistent with the following goals of the Growth Policy:

- Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)

The subdivision is consistent with the type of development in the surrounding area, large lots.

- Goal: New developments that are sensitive and compatible with the character of adjacent County town sites. (p. 6)

This land is currently farmland and dryland grasses. It will remain that way with this proposed subdivision, although residential development is happening around this land.

- Goal: Controlled weed populations. (p. 9)

The developer shall complete a weed management plan and shall provide a re-vegetation plan as required by County Subdivision Regulations.

2. 2018 Billings Urban Area Long Range Transportation Plan

The subject property maintains the road the study area of the Transportation Plan. As proposed, there is only one local street associated with this subdivision.

3. Billings Area Bikeway and Trail Master Plan (BBTMP)

54th Street West is identified as a proposed short-range bike lane. There is also a potential future alignment along the High Ditch. This subdivision will not be required to build any trail as part of the development.

D. Does the subdivision conform to the Montana Subdivision and Platting Act (MSPA) and to local subdivision regulations? [MCA 76-3-608 (3) (b) and Section 3.2 (3) (a) YCSR]

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8 (C) and 4.9 (C), YCSR]

The subdivider must receive approval from the MDEQ prior to final approval. New parcels, without existing septic systems, are subject to MDEQ review.

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2 (H) (3) (e), YCSR]

The proposed subdivision is within County Zoning Jurisdiction. No development is proposed on the two parcels. Any development will be required to meet current zoning code adopted by the County.

G. Does the subdivision provide for necessary planned utilities? [MCA 76-3-608 (3) (c) and Section 3.2 (H) (3) (b), YCSR]

Private utilities are not to be installed at this time. Should the private utility companies require easements the applicant will be required to coordinate the easements needed with the private utility companies.

H. Does the proposed subdivision provide for Legal and Physical Access to all lots? [MCA 76-3-608 (3) (d) and Section 3.2 (H) (3) (c) (d), YCSR]

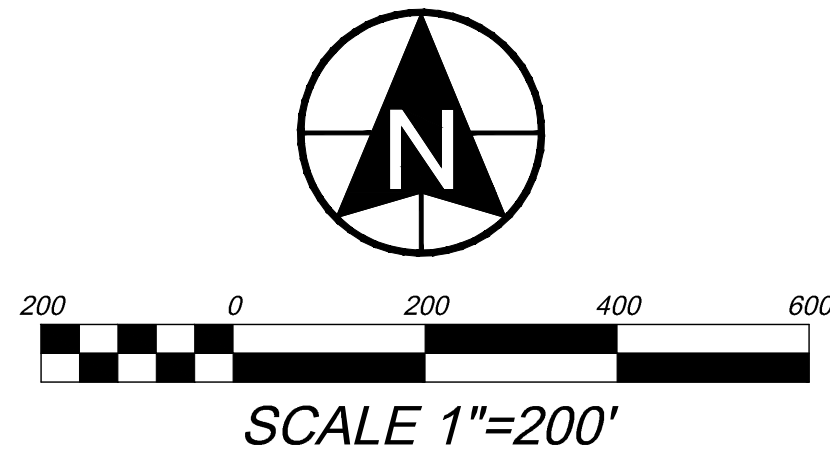
Legal and physical access will be provided for the new proposed lots from 54th Street West and 58th Street West.

CONCLUSIONS OF FINDINGS OF FACT

- This subdivision does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal, and can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

RECOMMENDATION

The Planning Division recommend conditional approval of the preliminary plat of RL Subdivision, to the Board of County Commissioners, and adopt the Findings of Fact as presented in the staff report, the SIA and Waiver.



R.L. SUBDIVISION

A Resubdivision of Yellowstone Meadows Phase Three, Block 7 Planting Area
Located in the NE 1/4 of Section 31, T1N, R25E, PMM,
Yellowstone County, Montana



DATE: MAY 2021
PREPARED FOR: REGAL LAND DEVELOPMENT, INC.

PREPARED BY: IN SITE ENGINEERING, P.C. &
PERFORMANCE ENGINEERING, LLC



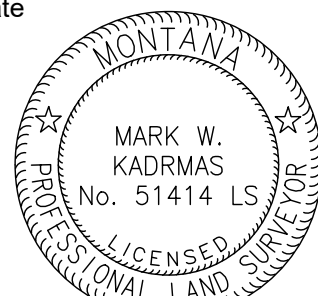
CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
SS County of
Yellowstone)

I, Mark W. Kadrmas, a Registered Land Surveyor in the State of Montana, do hereby certify that I have performed the survey shown on this Plat/Certificate of Survey and that such survey was made in February 2021; that said survey is true and complete as shown and the monuments found and set are of the character and occupy the positions shown thereon.
BASIS OF BEARINGS

- o = FOUND SURVEY MONUMENT, REBAR WITH "ENG INC" CAP OR AS NOTED
- = SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED SURVEYOR

Mark W. Kadrmas, Montana Registration No. 51414 LS Date
33 Centennial Road
Columbus, MT 59019



BOUNDARY DESCRIPTION

Beginning at a point which is the southwest corner of Tract 1-A, Certificate of Survey No. 1815 Amended; thence S 89°54'44" W a distance of 1172.52 feet; thence N 38°54'55" E a distance of 19.30 feet; thence S 89°54'44" W a distance of 30.03 feet; thence N 38°57'00" E a distance of 62.90 feet; thence N 00°15'22" E a distance of 550.00 feet; thence N 57°12'55" E a distance of 50.00 feet; thence N 68°05'04" E a distance of 291.03 feet; thence along a non-tangent curve to the right with a radius of 405.00 feet a distance of 102.33 feet (chord bearing N 20°39'33" W a chord length of 102.06 feet); thence along a reversing curve to the left with a radius of 10.00 feet a distance of 15.71 feet (chord bearing N 58°25'12" W chord length 14.14 feet); thence s 76°34'51" W a distance of 209.94 feet; thence along a non-tangent curve to the right with a radius of 720.00 feet a distance of 171.49 feet (chord bearing S 83°21'33" W chord length 171.09 feet); thence N 89°57'13" W a distance of 22.13 feet; thence along a curve to the left with a radius of 10.00 feet a distance of 15.67 feet (chord bearing s 45°10'01" W chord length 14.11 feet); thence N 00°17'16" E a distance of 1242.35 feet; thence S 89°44'38" E a distance of 175.15 feet; thence N 00°15'22" E a distance of 295.00 feet; thence along a curve to the right with a radius of 66.97 feet a distance of 104.63 feet (chord bearing N 45°00'52" E, chord length 94.31 feet); thence N 89°46'22" E a distance of 1762.80 feet; thence S 00°12'54" E a distance of 331.98 feet; thence N 89°43'24" E a distance of 1.40 feet; thence S 00°15'00" W a distance of 426.00 feet; thence N 89°43'24" E a distance of 576.68 feet; thence S 00°15'00" W a distance of 313.74 feet; thence S 89°50'14" W a distance of 1294.24 feet; thence S 00°08'44" W a distance of 1309.87 feet to the point of beginning; said described tract containing an area of 87.315 acres, more or less, subject to all rights-of-way and easements of record or apparent on the ground. Located in the NE 1/4 of Section 31, T1N, R25E, PMM, Yellowstone County, Montana.

VICINITY MAP NOT TO SCALE

CERTIFICATE OF COUNTY COMMISSIONER APPROVAL

STATE OF MONTANA)
County of Yellowstone)SS

We hereby certify that we have examined the foregoing R.L. SUBDIVISION and find that said plat conforms with the requirements of the Yellowstone County Board of Planning. It is therefore approved.

IN WITNESS WHEREOF, we have set our hands and the seal of the YELLOWSTONE COUNTY, MONTANA, this day of , 2021.

BOARD OF COUNTY COMMISSIONERS
Yellowstone County, Montana

By: _____
Commissioner

Attest:
Clerk and Recorded

By: _____
Commissioner

By: _____
Chairman

LANDOWNERS STATEMENT

I, the undersigned property owner hereby certify that I have caused to be surveyed the following lot of land to-wit: R.L. SUBDIVISION, a re-subdivision of Block 7 Planting Area of Yellowstone Meadows Phase Three Subdivision, Document No. 3780084 being located in the NE 1/4 of Section 31, T1N, R25E, PMM, Yellowstone County, Montana, containing 87.315 acres. Survey is subjected to all easements and/or right-of-ways of record, apparent on the ground or reserved on this survey.

The undersigned hereby grant unto utility companies, as such are defined and established by Montana Law, an easement for the location, maintenance, repair and removal of their lines over, under the areas designated on this plat as "UTILITY EASEMENT" to have and to hold forever.

By:

Printed:

STATE OF MONTANA)
SS
County of Yellowstone)

This instrument was acknowledged before me on , 2021 by Dan Wells
as President of Regal Land Development, Inc.

Signature Notary Public

NOTICE OF APPROVAL

STATE OF MONTANA)
County of Yellowstone)SS

This plat has been approved for filing by the Board of Planning and Yellowstone County and conforms to the recommendations of this Board.

Date

President

Executive Secretary

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the
County Attorney's Office and is acceptable
As to form.

Reviewed by : _____

Date _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and
special assessments have been paid per M.C.A.
76-3-611(1)(b) / 76-3-207(3).

Date _____

By _____
DEPUTY YELLOWSTONE COUNTY TREASURER

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT

This Subdivision Plat has been reviewed and approved by Riverstone
Health and the State Department of
Environmental Quality.

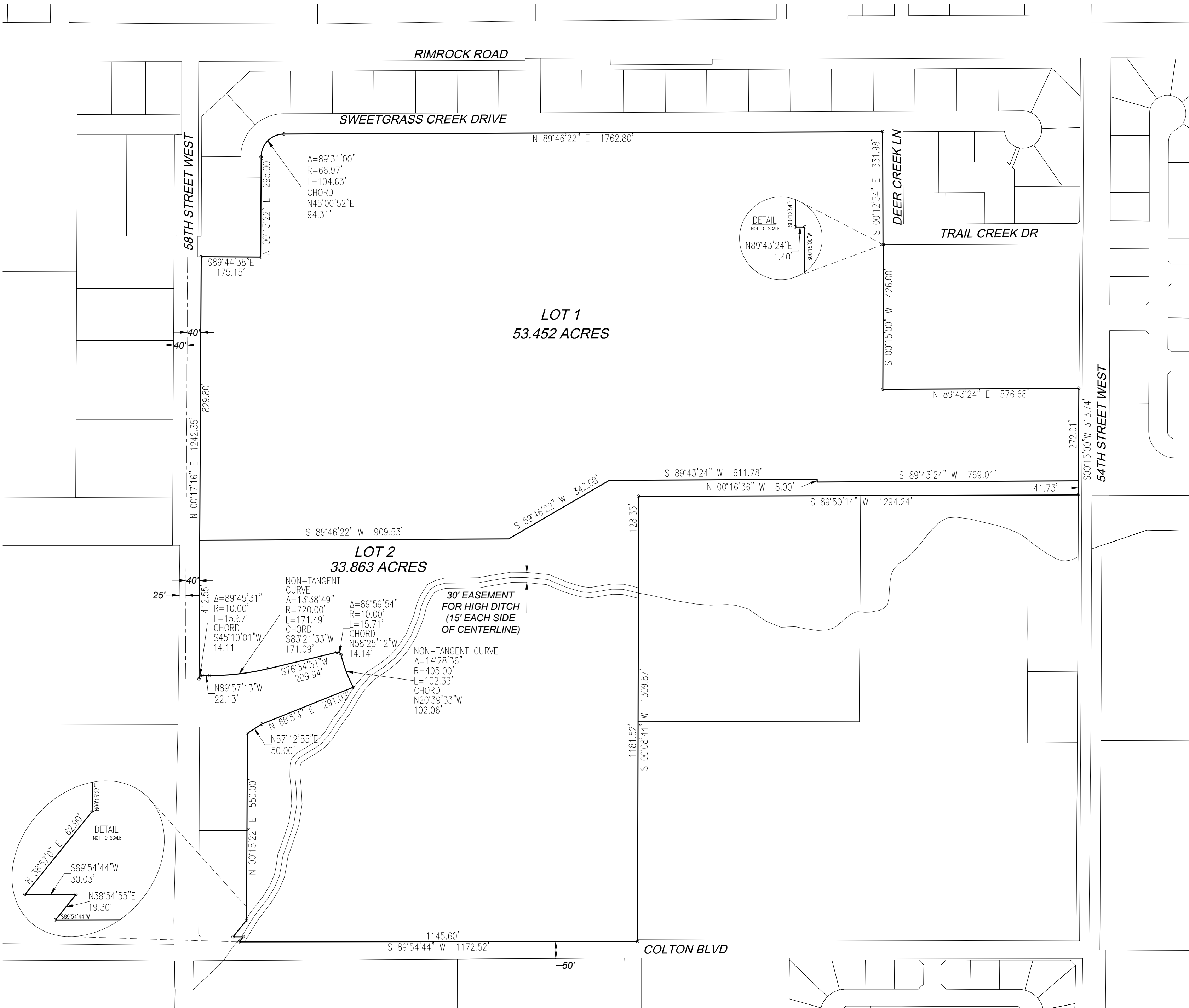
YELLOWSTONE CITY/COUNTY HEALTH DEPARTMENT
DBA RIVERSTONE HEALTH

Date _____

CONSENT TO PLATTING

Document No. _____

YELLOWSTONE COUNTY RECORDING INFORMATION



SUBDIVISION IMPROVEMENTS AGREEMENT

R.L. Subdivision

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(Yellowstone County)

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SUBDIVISION IMPROVEMENTS AGREEMENT

R.L. Subdivision

This agreement is made and entered into this ____ day of _____, 20__, by and between *Regal Land Development, Inc.*, whose address for the purpose of this agreement is **P.O. Box 80445, Billings, MT 59108**, hereinafter referred to as “Subdivider,” and **YELLOWSTONE COUNTY**, Montana, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, the plat of *R.L. Subdivision*, located in Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning;

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

A. Subdivider has requested, and the County hereby grants, the following variances by the Board of County Commissioners from the strict interpretation of the County’s Subdivision Regulations (Chapter 11, Yellowstone County Subdivision Regulations):

1. No variances requested

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

B. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

C. No water rights have been transferred to the lot owners; Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

- D.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- E.** Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.
- F.** When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way at no cost to the County and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- G.** Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

A. Streets

- No street right-of-way is dedicated with this minor plat.

B. Traffic Control Devices

- No traffic control devices are required for this minor plat.

C. Access

- Lot 1 has legal and physical access on Sweetgrass Creek Drive
- Lot 2 has legal and physical access on 58th Street West

D. Billings Area Bikeway and Trail Master Plan

This subdivision is within the area of the Billings Area Bikeway and Trail Master Plan with existing trail along 54th Street West. No improvements are required at this time.

IV. EMERGENCY SERVICE

- This subdivision is within the Billings Urban Fire Service Area (BUFSA). No fire suppression systems are required with this proposed subdivision.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by the Montana Department of Environmental Quality (MDEQ), or its designee.

- This plat is exempt from the requirement to create a storm water management plan because lots are greater than 20 acres.

VI. UTILITIES

A. Water

In accordance with Section 4.9 Yellowstone County Subdivision Regulations, all proposed water systems must obtain approval by the MDEQ, or its designee.

- This subdivision is exempt from sanitary review because the lot sizes are greater than 20 acres.

B. Septic System

In accordance with Section 4.8 Yellowstone County Subdivision Regulations, all proposed sanitary sewer systems must obtain approval by the MDEQ, or its designee.

- This subdivision is exempt from sanitary review because the lot sizes are greater than 20 acres.

C. Power, Telephone, Gas, and Cable Television

This section is not applicable with this subdivision.

VII. PARKS/OPEN SPACE

There is no parkland requirement for proposed R.L. Subdivision, as this is a minor subdivision [MCA 76-3-621(3)(e)].

VIII. IRRIGATION

- The Hi-Line Canal traverses Lot 2 of this Subdivision.
- The Hi-Line Canal has a 30' wide easement, 15' on each side of the center line of the ditch.

IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be

controlled on all properties in the subdivision.

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.
- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

X. SOILS/GEOTECHNICAL STUDY

- No geotechnical study was performed for this subdivision.

XI. PHASING OF IMPROVEMENTS

- This section is not applicable to this subdivision.

XII. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by bonds, irrevocable letters of credit, sequential development, or any other method that may be acceptable to the Planning Board and Board of County Commissioners. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvements have been completed in accordance with approved, seal stamped, record drawings, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

(In the event that all required improvements are not installed and constructed prior to final plat approval, the Subdivider shall provide a monetary security guarantee in the amount of 125% of the estimated total cost by one (1) of the methods listed in Chapter 5 of the Yellowstone County Subdivision Regulations. If using a security, describe the method in this section)

- This section is not applicable to this subdivision.

XIII. LEGAL PROVISIONS

- A.** Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by Yellowstone County.
- B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.
- C.** The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.
- D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
- E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.
- F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.
- G.** Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Regal Land Development, Inc.

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, (*Subdivider*), who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require for a period of twenty years from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Subdivision Name

Signed and dated this ____ day of _____, 20__.

Subdivider/Owner

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana

Printed name: _____

Residing in Billings, Montana

My commission expires: _____

B.O.C.C. Regular

Agenda Item 4.

Meeting Date: 08/03/2021

Title: Resolution 21-54 to Set Public Hearing on Proposed Creation of a portion of Cottonwood Creek Road

Submitted By: Mike Black

TOPIC:

Resolution 21-54 to Set a Public Hearing on Proposed Establishment of a Portion of Cottonwood Creek Road as a County Road - Setting the Public Hearing for Tuesday August 17, 2021 @ 9:30 a.m. in Room 3108

BACKGROUND:

Yellowstone County received a petition to Establish a portion of Cottonwood Creek Road

RECOMMENDED ACTION:

Approve Resolution 21+-54 and set public hearing on August 17, 2021
Advertise 1st and 2nd times on 8-6, and 8-13 of 2021

Attachments

Cottonwood Creek Resolution

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 21 - 54

Resolution Setting Hearing on Proposed Establishment of a portion of Cottonwood Creek Road as a County Road

WHEREAS, pursuant to Sections 7-14-2101, 7-14-2102 and 7-14-2103 of the Montana Code Annotated, a board of county commissioners has the authority to manage county roads. Pursuant to Sections 7-14-2601 through 7-14-2610 of the Montana Code Annotated, a board of county commissioners has the authority to create a county road. The process to create a road is the board receives a petition to create the road. The board appoints a board of viewers to make a recommendation on the creation of the road. The board of viewers makes a recommendation on the creation of the road. The board holds a public hearing on the recommendation and considers public comment. The board passes either a resolution of intent to create the road with conditions and after the conditions have been satisfied, the board passes a resolution that creates the road or a resolution that creates the road without conditions. The board provides notice to the affected landowners of the creation of the road. The county surveyor surveys the road.

WHEREAS, in the 1930s, the Work Projects Administration constructed Cottonwood Creek Road. It is a gravel road. There was no legal basis for the road through Sections 8, 17 and 20 of Township 4 South of Range 25 East. Yellowstone County has maintained the road since its construction. To rectify the lack of a legal basis for the portion of the road, the Yellowstone County Public Works Department requested the landowners the road crosses whether they would consent to have the road made a public, petitioned, county road. The portion of the road crosses the land owned by Miller Trois LLC, Billingsley Rock Creek Ranch Inc., State of Montana, Paugh Land LLC and Keebler Ranch LLC. Miller Trois LLC owns the North ½ of the Northeast ¼ of Section 8 of Township 4 South of Range 25 East. Billingsley Rock Creek Ranch Inc owns all of Section 8 of Township 4 South of Range 25 East, except the North ½ of the Northeast ¼. Billingsley Rock Creek Ranch Inc owns the North ½ of the North ½ of Section 17 of Township 4 South of Range 25 East. The State owns the Southwest ¼ of the Northwest ¼ and the Southwest ¼ of Section 17 of Township 4 South of Range 25 East and the North ½ of the Northeast ¼ and Northeast ¼ of the Northwest ¼ of Section 20 of Township 4 South of Range 25 East. Paugh Land LLC owns the South ½ of the Northeast ¼, the Southeast ¼ of the Northwest ¼ and the Southeast ¼ of Section 17 of Township 4 South of Range 25 East. Keebler Ranch LLC owns the West ½ of the Northwest ¼ and the Southeast ¼ of the Northwest ¼ and the Southwest ¼ of Section 20 of Township 4 South of Range 25 East. All the landowners consented to have the County designate the road a county road. The County obtained an easement over the State's land for the road.

WHEREAS, on June 22, 2021, the Yellowstone County Public Works Department filed a petition with the Yellowstone County Board of County Commissioners to have the portion of Cottonwood Creek Road that crosses Sections 8, 17 and 20 of Township 4 South of Range 25 East designated a county road. The Board reviewed the petition. The petition appeared legally sufficient for the Board to appoint a Board of Viewers to investigate the proposed establishment of the road as a county road. On June 22, 2021, the Board appointed a Board of Viewers to submit a report on the proposed establishment of the road as a county road. On August 3, 2021, the Board of Viewers submitted a report on the proposed establishment of the road as a county road. Attached is a copy of the report. The Board of Viewers' Report recommended the Board establish the road as a county road without conditions.

NOW THEREFORE, BE IT RESOLVED,

On August 17, 2021, at 9:30 a.m., in Room 3101 of the Stillwater Building located at 316 North 26th Street in Billings, Montana, the Yellowstone County Board of County Commissioners shall hold a public hearing on the petition to establish a portion of Cottonwood Creek Road as a county road. At the hearing, the Board shall receive comment on the proposed establishment of the road as a county road and consider the Board of Viewers' Report and any comment on the proposed establishment of the road as a county road. The Board orders the Yellowstone County Clerk and Recorder to publish notice of the public hearing, mail notice of the public hearing to all landowners of the land the road crosses, receive written comments on the establishment of the road as a county road and provide the comments to the Board before the hearing.

After the hearing, the Board may or may not establish the road as a county road. If the Board believes that it is in the best interest of the public to establish the road as a county road, it shall either pass a resolution of intent to establish the road as a county road with conditions or pass a resolution that establishes the road as a county road if there are no conditions to satisfy. There may be no conditions to satisfy. The road may be built to the applicable county road standard and the County already maintains the road. If the Board passes a resolution of intent to establish the road as a county road, once the conditions have been satisfied, the Board shall pass a resolution that establishes the road as a county road. If the Board believes it is not in the best interest of the public to establish the road as a county road, it shall pass a resolution not to establish the road as a county road.

Passed and Adopted on the 3rd day of August 2021.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chair

John Ostlund, Member

Denis Pitman, Member

ATTEST:

Jeff Martin, Clerk and Recorder

BOARD OF VIEWERS REPORT

TO: Yellowstone County Board of County Commissioners

FROM: Board of Viewers

DATE: July 29, 2021

SUBJECT: *PETITION TO ESTABLISH A PORTION OF COTTONWOOD CREEK ROAD
LOCATED IN YELLOWSTONE COUNTY, MONTANA*

BACKGROUND

A field inspection to view this petition was conducted on July 26, 2021, by Mike Black–PE, Scott Walker, Jeff Martin, and John Ostlund.

The following people comprised the Board of Viewers:

Mike Black, PE,	Senior Yellowstone County Civil Engineer
Scott Walker,	Billings City / Yellowstone County Planning Department
Jeff Martin,	Yellowstone County Clerk and Recorder
John Ostlund,	Yellowstone County Commissioner

FINDINGS

Yellowstone County has received a petition to establish a portion of Cottonwood Creek Road as a public road in Sections 8, 17, and 20 of Township 4 South, Range 25 East.

The petition to establish this road portion was received from Tim Miller of the County Public Works Department, on June 17, 2021.

The petitioner desires to establish the public right-of-way of this road to formally adopt this road that the County has been historically maintaining.

Yellowstone County is in agreement to this proposal.

From the review of this petition, it appears that legal access will continue to be provided to all abutting private lands. Based on the information above the establishment of this portions of roads appears logical.

RECOMMENDATIONS

The Board of Viewers recommends conditional approval of the establishment of a portion of Cottonwood Creek Road as a public road, in Yellowstone County, subject to the following conditions:

1. There are no conditions for the establishment to be finalized.

Respectfully Submitted,

Board of Viewers

Mike Black, PE
Senior Yellowstone County Civil Engineer

Date

Scott Walker
City / County Planning Department

Date

Jeff Martin
Yellowstone County Clerk and Reorder

Date

John Ostlund
Yellowstone County Commissioner

Date

B.O.C.C. Regular

Agenda Item 1.

Meeting Date: 08/03/2021

Title: Huck Subdivision

Submitted For: Jeff Martin, Clerk And Recorder

Submitted By: Jeff Martin, Clerk And Recorder

TOPIC:

Plat of Huck Subdivision and the S.I.A.

BACKGROUND:

Reviewed

RECOMMENDED ACTION:

Execute

Attachments

Huck Subdivision

SUBDIVISION IMPROVEMENTS AGREEMENT
(Huck Subdivision)
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(Yellowstone County)

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SUBDIVISION IMPROVEMENTS AGREEMENT

(Huck Subdivision)

This agreement is made and entered into this ____ day of _____, 20__, by and between Brian J. Huck, whose address for the purpose of this agreement is **PO Box 23322, Billings, MT 59104**, hereinafter referred to as “Subdivider,” and YELLOWSTONE COUNTY, Montana, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, the plat of Huck Subdivision, located in Yellowstone County, MT, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on November 11, 2019, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of Huck Subdivision; and

WHEREAS, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to Huck Subdivision upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Blue Creek area also has a history of black bear conflicts. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

B. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

C. No water rights have been transferred with this subdivision.

D. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

E. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.

F. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way at no cost to the County, and any relocation outside of the public right-of-way shall be subject to securing and recording easements.

G. Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.

H. Lot owners or their agent will obtain an Access Permit from County Public Works prior to any construction on any lot within the subdivision. The application will include a site plan showing the desired location of the access and show that it meets the requirements outlined by the DEQ storm water requirements for the subdivision. Failure to do so will result in the lot owner or their agent removing what has been installed and locating the access in an approved location at the lot owners expense.

II. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

A. Streets

No additional streets or roads are being constructed with this subdivision. Legal and physical access is provided by Vandaveer Road. All lots will have direct access onto Vandaveer Road. This road is developed to County standards in a 60-foot easement and is constructed with an asphalt surface approximately 25-feet in width.

B. Traffic Control Devices

No additional traffic control devices are being installed with this subdivision.

C. Access

Access is provided all lots by Vandaveer Road. Lots 1 and 3 will utilize a shared access, as will Lots 2 and 4. Lot 5 has an existing house and access onto Vandaveer Road.

D. Billings Area Bikeways and Trail Master Plan (BABTMP)

The BABTMP does not identify any current or future trails on or adjacent to this subdivision. No extensions or improvements of trails are proposed.

III. EMERGENCY SERVICE

This subdivision is located within the Blue Creek Volunteer Fire Department service area and is approximately 4 road miles from the fire station. A dry hydrant will be provided per County regulations for fire suppression purposes. The hydrant will be located in the north-central portion of the subdivision near the shared access for Lots 1 and 3 and will be maintained by a new RSID.

The Yellowstone County Sheriff's Office will provide law enforcement service to this subdivision.

Vandaveer Road provides emergency vehicle access to the subdivision.

IV. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by the Montana Department of Environmental Quality (DEQ), or its designee. Stormwater retention ponds on each lot will be created of sufficient capacity to handle storm water runoff for the respective lot.

V. UTILITIES

A. Water

Lots 1-4 are proposed to have new 2,200 gallon cisterns, per DEQ review and approval. Lot 5 has an existing cistern.

B. Septic System

New individual septic systems will serve Lots 1-4, per DEQ review and approval. Lot 5 has an existing septic system.

C. Power, Telephone, Gas, and Cable Television

Utility easements are existing in or adjacent to existing road right-of-ways and services can be provided to each lot in the subdivision. Easements are shown on the plat.

VI. PARKS/OPEN SPACE

There is no parkland requirement for the proposed Huck Subdivision, as this is a first minor subdivision [MCA 76-3-621(3) (e)].

VII. IRRIGATION

There are no ditches on the property and no Irrigation District will be affected by this subdivision. There are no water rights associated with this property.

VIII. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

A weed plan will be implemented as per the Yellowstone County Weed Department requirements.

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.
- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.
- A soil report from the National Cooperative Soil Survey indicates that approximately 75% of the site is classified as prime farmland if irrigation, while the rest of the site is classified as not prime farmland. Depth to the water table is estimated at more than 80 inches, while lithic bedrock may be encountered at 10-20 inches. It is recommended that

builders undertake their own investigation of the soils and depth to groundwater and restrictive features prior to construction.

IX. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by bonds, irrevocable letters of credit, sequential development, or any other method that may be acceptable to the Planning Board and Board of County Commissioners. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvements have been completed in accordance with approved, seal stamped, record drawings, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

X. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by Yellowstone County.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

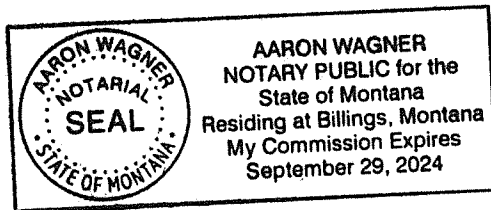
"SUBDIVIDER"

Brian Huck

By: Brian Huck
Owner

STATE OF MONTANA)
 : SS
County of Yellowstone)

On this day of, 17th June, 2021, before me, a Notary Public in and for the State of Montana, personally appeared Brian Huck, known to me to be Brian Huck, who executed the foregoing instrument and acknowledged to me that he/she executed the same.



Aaron Wagner
Notary Public in and for the State of Montana
Printed Name: Aaron Wagner
Residing at: Billings, MT
My commission expires: 09/29/2024

“COUNTY”
COUNTY OF YELLOWSTONE
MONTANA

County of Yellowstone

Board of County Commissioners

By:

Chairman

Commissioner

Commissioner

Attest: _____
County Clerk and Recorder

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, _____, and _____, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require for a period of twenty years from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Huck Subdivision

Signed and dated this 17 day of June, 2021

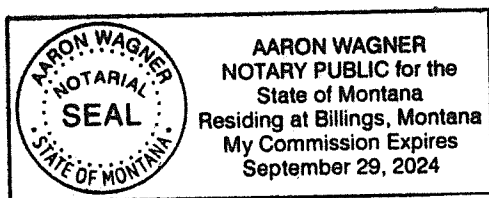
"SUBDIVIDER"

Brian J. Huck

By: Brian J. Huck
Owner

STATE OF MONTANA)
 : ss
County of Yellowstone)

17th June
On this day of, 2021, before me, a Notary Public in and for the State of Montana, personally appeared Brian J. Huck, known to me to be Brian J. Huck, who executed the foregoing instrument and acknowledged to me that he/she executed the same.



Aaron Wagner
Notary Public in and for the State of Montana
Printed Name: Aaron Wagner
Residing at: Billings, MT
My commission expires: 09/29/2024

B.O.C.C. Regular

Agenda Item 2. a.

Meeting Date: 08/03/2021

Title: Board Appointment

Submitted By: Erika Guy

TOPIC:

Board Appointment - Kari Welborn to Custer Cemetery Board

BACKGROUND:

See Attachment

RECOMMENDED ACTION:

Sign and Mail

Attachments

Kari Welborn

BOARD APPLICATION FORM
YELLOWSTONE COUNTY, MONTANA

NAME: Kari Welborn HOME PHONE: 406-672-2842
ADDRESS: 5909 Custer Frontage Rd WORK PHONE: _____
CITY: Custer STATE: MT ZIP: 59024
BUSINESS OR JOB: Custer Cemetery caretaker
E-MAIL ADDRESS: Kari.buller@yahoo.com
BOARD OR COMMISSION APPLIED FOR: Head of Custer Cemetery board

Please describe your experience or background that you believe qualifies you for service on this Board or Commission (attach additional sheets if needed): I believe I qualify to serve the Board or Commission because I have been the Custer cemetery caretaker for 14 years and I know everything there is to know about the Custer cemetery.

Why do you wish to serve on this Board or Commission? I wish to serve the Board or Commission because I truly believe that I can make a difference when it comes to the Custer Cemetery.

Additional information that you feel is pertinent (attach additional sheets if needed):

Kari Welborn
Signature

7-5-21
Date

Return application to: Board of County Commissioners
P.O. Box 35000
Billings, MT 59107-5000

OFFICE USE ONLY:		
APPOINTED:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> DATE <u>8/3/21</u>
TERM EXPIRATION DATE: <u>6/30/24</u>		
(Circle one)		
<input checked="" type="radio"/> ORIGINAL APPOINTMENT	<input type="radio"/> REAPPOINTMENT	TERM NO: <u>1</u>

Yellowstone County



COMMISSIONERS
(406) 256-2701
(406) 256-2777 (FAX)

P.O. Box 35000
Billings, MT 59107-5000
commission@co.yellowstone.mt.gov

August 3, 2021

Ms. Kari Welborn
5909 Custer Frontage Rd.
Custer, MT 59024

RE: Custer Cemetery Board

Dear Ms. Welborn,

The Board of County Commissioners of Yellowstone County has appointed you to represent Yellowstone County as a member on the above named board. Your term by this appointment will be to June 30, 2024.

We wish to take this opportunity to thank you in advance for accepting this community service.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chair

John Ostlund, Member

Denis Pitman, Member

BOCC/eg

cc: Board File - Clerk & Recorder
Ms. Marion Perrin, 3811 Towhee Lane, Billings, MT 59102

B.O.C.C. Regular

Agenda Item 2. b.

Meeting Date: 08/03/2021

Title: Board Openings

Submitted By: Erika Guy

TOPIC:

Board Openings- Updated List

BACKGROUND:

See Attachment

RECOMMENDED ACTION:

Post

Attachments

Board Openings

YELLOWSTONE COUNTY BOARD OPENINGS

August 3, 2021

BOARD OF ADJUSTMENT	2 year	1 partial to 12/31/22
ZONING COMMISSION	2 year	1 full to 6/30/23

- NOTE: Eligible applicants for the above board must live outside of the limits of the City of Billings, but within the 4-1/2 mile zoning boundary. For further information, please contact Nicole Cromwell, Zoning Coordinator, at 247-8662.

CITY/COUNTY PLANNING: DIST 3	2 year	1 partial to 12/31/22
CITY/COUNTY PLANNING: DIST 4	2 year	1 partial to 12/31/22
CITY/COUNTY PLANNING: DIST 6	2 year	1 partial to 12/31/22

- NOTE: To be eligible for the above special district boards, applicants must live AND own property within the boundaries of the district. To find which planning district you live in, please contact the City/County Planning Division at 247-8676.

BLUE CREEK FIRE SERVICE AREA	3 year	1 full to 5/08/24
LAUREL FIRE DISTRICT #7	3 year	2 partial to 12/31/21 2 partial to 12/31/22 1 partial to 12/31/23
LAUREL URBAN FIRE SERVICE AREA	3 year	2 partial to 6/30/22
SHEPHERD FIRE SERVICE AREA	3 year	1 full to 5/06/24

- NOTE: To be eligible for the above special district boards, applicants must live OR own property within the boundaries of the district.

BILLINGS URBAN FIRE SERVICE AREA ADVISORY BOARD	3 year	2 partial to 12/31/22 2 partial to 12/31/23 1 partial to 12/31/21
LOCKWOOD PEDESTRIAN SAFETY DISTRICT ADV.	3 year	4 partial to 12/31/23
PARK BOARD	3 year	1 partial to 6/30/23

APPLICATIONS FOR THE ABOVE POSITIONS WILL BE ACCEPTED
UNTIL 5:00PM ON THURSDAY, September 2, 2021

July 20, 2021

HUNTLEY PROJECT FIRE SERVICE AREA	3 year	1 full to 6/30/24
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- NOTE: To be eligible for the above special district boards, applicants must live OR own property within the boundaries of the district.

PARK BOARD	3 year	1 full to 6/30/24
WEED CONTROL	3 year	1 partial to 12/31/21
YELLOWSTONE ART MUSEUM	5 year	1 full to 6/30/26

ZONING COMMISSION	2 year	1 full to 6/30/23
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- NOTE: To be eligible for the above special district board, applicants must live outside city limits of Billings but within 4 ½ mile zoning boundary

APPLICATIONS FOR THE ABOVE POSITIONS WILL BE ACCEPTED
UNTIL 5:00PM ON THURSDAY, August 19, 2021

B.O.C.C. Regular

Agenda Item 3.

Meeting Date: 08/03/2021

Title: Bond for Lost Warrant

Submitted By: Anna Ullom, Accountant

TOPIC:

Bond for Lost Warrant

BACKGROUND:

BFLW returned signed and notarized on lost/stale checks.

RECOMMENDED ACTION:

Approve reissue.

Attachments

BFLW

BOND FOR LOST WARRANT

On January 8, 2021, Yellowstone County issued a warrant numbered 20531 to Sam Hamm (Principal) in the amount of \$350.00. The warrant was drawn in payment of restitution for case # CR-2014-1175. Principal now attests that the warrant has been lost or destroyed, and it has undertaken a diligent search but has been unable to recover the warrant. Moreover, Principal has not received payment on the claim. Therefore, Principal has requested that Yellowstone County issue a duplicate warrant in the same sum of \$350.00 to replace the lost or destroyed warrant.

WHEREFORE, Principal agrees to indemnify and hold harmless Yellowstone County and its officers from all loss, costs, or damages incurred as a result of issuing the duplicate warrant, should Yellowstone County issue a duplicate warrant, and agrees to release any and all claims that principal may have against Yellowstone County now or in the future as related to payment of the above stated claim. Principal also agrees to pay to any person entitled to receive payment under the original warrant, as the lawful holder of the original warrant, all monies received upon the duplicate warrant.

Further, Principal agrees to bind itself, its heirs, assigns, executors, administrators, successors and assigns, jointly and severally, for twice the amount of the original warrant as required by M.C.A. 7-7-2104 (2), which is \$700.00 and may be enforced in the event the Principal cashes both the original warrant and the replacement warrant. In addition, Principal agrees to pay reasonable attorney's fees, and to cover all losses, damages, and other costs incurred by Yellowstone County in enforcing its rights under this bond.

Signed this 19th day of July, 2021.

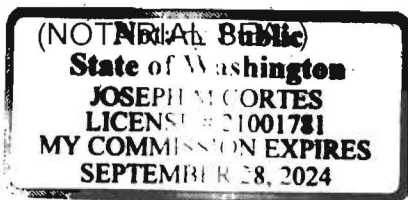
Principal [Signature]

Principal _____

2548 57th Ave SW
Mailing Address for replacement check

Seattle WA 98116-11

SUBSCRIBED AND SWORN to before me this 19 day of July, 2021.



[Signature]
Notary public for the State of Washington
Residing at Seattle
My commission expires 9-28-24

APPROVED:

Chair, Board of County Commissioners

Date

Replaced with warrant # _____ (completed by County)

7/12/21

BOND FOR LOST WARRANT

On January 22, 2021, Yellowstone County issued a warrant numbered 20566 to Sam Hamm (Principal) in the amount of \$880.00. The warrant was drawn in payment of restitution for case # CR-2014-1175. Principal now attests that the warrant has been lost or destroyed, and it has undertaken a diligent search but has been unable to recover the warrant. Moreover, Principal has not received payment on the claim. Therefore, Principal has requested that Yellowstone County issue a duplicate warrant in the same sum of \$880.00 to replace the lost or destroyed warrant.

WHEREFORE, Principal agrees to indemnify and hold harmless Yellowstone County and its officers from all loss, costs, or damages incurred as a result of issuing the duplicate warrant, should Yellowstone County issue a duplicate warrant, and agrees to release any and all claims that principal may have against Yellowstone County now or in the future as related to payment of the above stated claim. Principal also agrees to pay to any person entitled to receive payment under the original warrant, as the lawful holder of the original warrant, all monies received upon the duplicate warrant.

Further, Principal agrees to bind itself, its heirs, assigns, executors, administrators, successors and assigns, jointly and severally, for twice the amount of the original warrant as required by M.C.A. 7-7-2104 (2), which is \$1760.00 and may be enforced in the event the Principal cashes both the original warrant and the replacement warrant. In addition, Principal agrees to pay reasonable attorney's fees, and to cover all losses, damages, and other costs incurred by Yellowstone County in enforcing its rights under this bond.

Signed this 19th day of July, 2021.

[Signature]
Principal

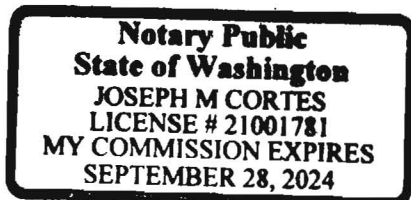
Principal

2548 57th Ave SW
Mailing Address for replacement check

Seattle WA 98116

SUBSCRIBED AND SWORN to before me this 19 day of July, 2021.

(NOTARIAL SEAL)



[Signature]
Notary public for the State of Washington
Residing at Seattle
My commission expires 9-28-24

APPROVED:

Chair, Board of County Commissioners

Date

Replaced with warrant # _____ (completed by County)

7/12/21

B.O.C.C. Regular

Agenda Item 4.

Meeting Date: 08/03/2021

Title: Contract Change Order for Striping

Submitted For: Tim Miller, Public Works Director

Submitted By: Tim Miller, Public Works Director

TOPIC:

Contract Change Order with Streamline Marking Inc. for Striping

BACKGROUND:

Change Order with Streamline Marking Inc for additional road striping of various county roads.

RECOMMENDED ACTION:

Approve Change Order

Attachments

Contracts

Change Order

No. 1

Date of Issuance: 7-21-21

Effective Date: 7-21-21

Project: County Wide Striping of Various Roads	Owner: Yellowstone County	Owner's Contract No.: N/A
Contract: Yellowstone Count & Streamline Markings Inc.	Date of Contract: 4-13-2021	
Contractor: Streamline Markings Inc.	Engineer's Project No.: N/A	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Add additional striping of various county roads

Attachments (list documents supporting change):

CHANGE IN CONTRACT PRICE:

Original Contract Price: Striping White and Yellow Paint \$22.45 per gallon applied

[Increase] [Decrease] from previously approved Change Orders No. to No. :

N A

Contract Price prior to this Change Order:

\$22.45 per gallon of white and yellow paint applied

[Increase] [Decrease] of this Change Order:

\$0.00

Contract Price incorporating this Change Order:

N A

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☐ Calendar days

Substantial completion (days or date):

Ready for final payment (days or date):

[Increase] [Decrease] from previously approved Change Orders No. n/a to No. n/a:

Substantial completion (days):

Ready for final payment (days):

Contract Times prior to this Change Order:

Substantial completion (days or date):

Ready for final payment (days or date):

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date):

Ready for final payment (days or date):

Contract Times with all approved Change Orders:

Substantial completion (days or date):

Ready for final payment (days or date):

RECOMMENDED:

By: N A

Engineer (Authorized Signature)

Date:

ACCEPTED:

By:

Owner (Authorized Signature)

Date:

ACCEPTED:

By: 

Contractor (Authorized Signature)

Date: 7/26/2021

Approved by Funding Agency (if applicable):

Date: _____

B.O.C.C. Regular

Agenda Item 5. a.

Meeting Date: 08/03/2021

Title: YCSO Range - Indemnification/Hold Harmless Agreements

Submitted By: Carol Lombard

TOPIC:

Indemnification/Hold Harmless Agreements between YCSO and Outside Agencies
Utilizing YCSO Range

BACKGROUND:

County Attorney's Office has already reviewed and approved the attached agreements.

RECOMMENDED ACTION:

Consent & sign.

Attachments

Range indemnity BLM
Range indemnity DOJ Gambling
Range indemnity FWP
Range indemnity U.S. P&P

INDEMNIFICATION, HOLD HARMLESS AND RELEASE AGREEMENT

Michael A. Schafer Training Facility

This Indemnification, Hold Harmless and Release Agreement ("Agreement") is made and entered into on this 28th day of January 2021, between Yellowstone County, Montana, the Yellowstone County Montana Sheriff's Office, their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both official and individual capacities (hereinafter collectively referred to as "the County"), and the Bureau of Land Management, on behalf of their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both their official and individual capacities (hereinafter collectively referred to as "BLM").

WHEREAS, the Michael A. Schafer Training Facility (hereinafter the "Facility") is situated on approximately one hundred-fifty (150) acres of County property, with a mailing address of 1415 Shepherd Action Road. The Facility consists of two separate firing ranges found on six (6) acres located within the Facility. Both firing ranges are fenced off with chain link fencing complete with barbed wire uppers 9' high. One firing range is dedicated for handgun training, which has adjacent to it a small shed that serves as an observation tower; the other firing range is used for a variety of weapons including long rifle training. Additionally, the Facility has a classroom building, kitchen, restrooms, a small garage to house equipment and a gun cleaning building. In addition and outside the fenced perimeter is a modular home designated as the "shoot house" which is used for realistic training using simulated munitions;

WHEREAS, the BLM wishes to make use of the Facility for the benefit of employees of the BLM for the purpose of sanctioned training, including but not limited to, firearms training, day and night shoots and any other voluntary or mandatory law enforcement training;

WHEREAS, the County is willing to permit the BLM to use the Facility, but at the same time, the County is unwilling to assume the risk for the BLM's use of the facility;

WHEREAS, it is then in the mutual interest of the County and the BLM to enter into the agreement as set forth below;

NOW, THEREFORE, in and for good consideration, the sufficiency of which is hereby mutually acknowledged and for the mutual covenants and promises set forth below, the County and the BLM enter into this Agreement, effective immediately upon execution of this document, the terms which are as follows:

1. The County agrees to allow the BLM to utilize the Facility on specified days during the length of this agreement for the purpose of sanctioned day and night firearms training and any other voluntary or mandatory use consistent with generally accepted law enforcement training.
2. BLM agrees to release, indemnify and hold the County harmless from and against all loss, cost, expense, judgments or settlements whatsoever resulting from any claim, demand, action, cause of action or suit arising from or relating to the use of the Facility in any manner whatsoever by participants or persons present for observation of any activities, including but not limited to use of ranges, buildings and land. The BLM shall, at the County's request, undertake in their name the defense of all actions arising from such occurrence. The BLM shall also pay all costs, damages, expenses and reasonable attorney's fees incurred by the County in connection with any such claims and shall not settle any such claim against the County without the consent of the County, which consent shall not be unreasonably withheld. In the alternative, the County may undertake its own defense, but such undertaking shall not limit the

BLM's obligation to pay all costs, expenses, damages, judgments and/or settlements, if any, associated therewith.

3. This Agreement may not be amended or modified except by another written instrument signed by the party or parties to be bound. In addition, BLM is prohibited from subleasing the Facility to individuals or agencies without the express written permission of the County.
4. This Agreement is intended to incur strict liability upon the BLM for use of the Facility. The County makes no warranty, either express or implied, as to the fitness of the Facility for a specific use, and the parties to this Agreement agree that use of the Facility necessarily creates dangerous and hazardous conditions by anyone for any purpose and that any use of the Facility represents dangerous conditions that can result in serious injury up to and including death.
5. This Agreement shall be interpreted, construed and enforced in accordance with the laws of the State of Montana, and the parties hereto agree that venue is only proper in Yellowstone County, Montana. This Agreement shall remain in full force and effect for one year from the date the BLM executes this Agreement. Thereafter, it is the intent of the parties to renew this Agreement on an annual basis. The County reserves the right to modify this Agreement at anytime during the term of this Agreement. Either party may terminate this agreement with written notice of termination sent certified mail to the other party.
6. The County shall not hold harmless or indemnify the BLM for any demands, liability, claims, actions, and cause of action, suits, losses, judgments, or settlements whatsoever.

7. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and shall remain enforceable in accordance with the terms hereof.
8. Each of the undersigned persons represents and warrants that he or she is authorized to execute this Agreement on behalf of the respective party, and that he or she has the full power and authority to bind such party to each and every provision of this Agreement.

IN WITNESS THEREOF, the parties have caused this Indemnification, Hold Harmless and Release Agreement to be executed by their duly authorized representative on the dates herein subscribed.

YELLOWSTONE COUNTY

BUREAU OF LAND MANAGEMENT

By: Commissioner Denis Pitman

Date

BRYCE STEWART

Digitally signed by BRYCE
STEWART
Date: 2021.01.28 09:21:57 -07'00'

By: Bryce Stewart State Chief Ranger-MT/DAKs

01/28/2021

Date

INDEMNIFICATION, HOLD HARMLESS AND RELEASE AGREEMENT
Michael A. Schafer Training Facility

This Indemnification, Hold Harmless and Release Agreement ("Agreement") is made and entered into on this 15 day of December 2020, between Yellowstone County, Montana, the Yellowstone County Montana Sheriff's Office, their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both official and individual capacities (hereinafter collectively referred to as "the County"), and the Montana Department of Justice, Gambling Control Division, on behalf of their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both their official and individual capacities (hereinafter collectively referred to as "DOJG").

WHEREAS, the Michael A. Schafer Training Facility (hereinafter the "Facility") is situated on approximately one hundred-fifty (150) acres of County property, with a mailing address of 1415 Shepherd Action Road. The Facility consists of two separate firing ranges found on six (6) acres located within the Facility. Both firing ranges are fenced off with chain link fencing complete with barbed wire uppers 9' high. One firing range is dedicated for handgun training, which has adjacent to it a small shed that serves as an observation tower; the other firing range is used for a variety of weapons including long rifle training. Additionally, the Facility has a classroom building, kitchen, restrooms, a small garage to house equipment and a gun cleaning building. In addition and outside the fenced perimeter is a modular home designated as the "shoot house" which is used for realistic training using simulated munitions;

WHEREAS, the DOJG wishes to make use of the Facility for the benefit of employees of the DOJG for the purpose of sanctioned training, including but not limited to, firearms training, day and night shoots and any other voluntary or mandatory law enforcement training;

WHEREAS, the County is willing to permit the DOJG to use the Facility, but at the same time, the County is unwilling to assume the risk for the DOJG's use of the facility;

WHEREAS, it is then in the mutual interest of the County and the DOJG to enter into the agreement as set forth below;

NOW, THEREFORE, in and for good consideration, the sufficiency of which is hereby mutually acknowledged and for the mutual covenants and promises set forth below, the County and the DOJG enter into this Agreement, effective immediately upon execution of this document, the terms which are as follows:

1. The County agrees to allow the DOJG to utilize the Facility on specified days during the length of this agreement for the purpose of sanctioned day and night firearms training and any other voluntary or mandatory use consistent with generally accepted law enforcement training.
2. DOJG agrees to release, indemnify and hold the County harmless from and against all loss, cost, expense, judgments or settlements whatsoever resulting from any claim, demand, action, cause of action or suit arising from or relating to the use of the Facility in any manner whatsoever by participants or persons present for observation of any activities, including but not limited to use of ranges, buildings and land. The DOJG shall, at the County's request, undertake in their name the defense of all actions arising from such occurrence. The DOJG shall also pay all costs, damages, expenses and reasonable attorney's fees incurred by the County in connection with

any such claims and shall not settle any such claim against the County without the consent of the County, which consent shall not be unreasonably withheld. In the alternative, the County may undertake its own defense, but such undertaking shall not limit the DOJG's obligation to pay all costs, expenses, damages, judgments and/or settlements, if any, associated therewith.

3. This Agreement may not be amended or modified except by another written instrument signed by the party or parties to be bound. In addition, DOJG is prohibited from subleasing the Facility to individuals or agencies without the express written permission of the County.
4. This Agreement is intended to incur strict liability upon the DOJG for use of the Facility. The County makes no warranty, either express or implied, as to the fitness of the Facility for a specific use, and the parties to this Agreement agree that use of the Facility necessarily creates dangerous and hazardous conditions by anyone for any purpose and that any use of the Facility represents dangerous conditions that can result in serious injury up to and including death.
5. This Agreement shall be interpreted, construed and enforced in accordance with the laws of the State of Montana, and the parties hereto agree that venue is only proper in Yellowstone County, Montana. This Agreement shall remain in full force and effect for one year from the date the DOJG executes this Agreement. Thereafter, it is the intent of the parties to renew this Agreement on an annual basis. The County reserves the right to modify this Agreement at anytime during the term of this Agreement. Either party may terminate this agreement with written notice of termination sent certified mail to the other party.

6. The County shall not hold harmless or indemnify the DOJG for any demands, liability, claims, actions, and cause of action, suits, losses, judgments, or settlements whatsoever.
7. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and shall remain enforceable in accordance with the terms hereof.
8. Each of the undersigned persons represents and warrants that he or she is authorized to execute this Agreement on behalf of the respective party, and that he or she has the full power and authority to bind such party to each and every provision of this Agreement.

IN WITNESS THEREOF, the parties have caused this Indemnification, Hold Harmless and Release Agreement to be executed by their duly authorized representative on the dates herein subscribed.

YELLOWSTONE COUNTY

MONTANA DEPARTMENT OF JUSTICE
GAMBLING CONTROL DIVISION

By: Commissioner Denis Pitman

By:



Date

Date

12/15/20

INDEMNIFICATION, HOLD HARMLESS AND RELEASE AGREEMENT
Michael A. Schafer Training Facility

This Indemnification, Hold Harmless and Release Agreement (“Agreement”) is made and entered into on this 26 day of July 2021, between Yellowstone County, Montana, the Yellowstone County Montana Sheriff’s Office, their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both official and individual capacities (hereinafter collectively referred to as “the County”), and the Montana Fish, Wildlife & Parks, on behalf of their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both their official and individual capacities (hereinafter collectively referred to as “FWP”).

WHEREAS, the Michael A. Schafer Training Facility (hereinafter the “Facility”) is situated on approximately one hundred-fifty (150) acres of County property, with a mailing address of 1415 Shepherd Action Road. The Facility consists of two separate firing ranges found on six (6) acres located within the Facility. Both firing ranges are fenced off with chain link fencing complete with barbed wire uppers 9’ high. One firing range is dedicated for handgun training, which has adjacent to it a small shed that serves as an observation tower; the other firing range is used for a variety of weapons including long rifle training. Additionally, the Facility has a classroom building, kitchen, restrooms, a small garage to house equipment and a gun cleaning building. In addition and outside the fenced perimeter is a modular home designated as the “shoot house” which is used for realistic training using simulated munitions;

WHEREAS, the FWP wishes to make use of the Facility for the benefit of employees of the FWP for the purpose of sanctioned training, including but not limited to, firearms training, day and night shoots and any other voluntary or mandatory law enforcement training;

WHEREAS, the County is willing to permit the FWP to use the Facility, but at the same time, the County is unwilling to assume the risk for the FWP's use of the facility;

WHEREAS, it is then in the mutual interest of the County and the FWP to enter into the agreement as set forth below;

NOW, THEREFORE, in and for good consideration, the sufficiency of which is hereby mutually acknowledged and for the mutual covenants and promises set forth below, the County and the FWP enter into this Agreement, effective immediately upon execution of this document, the terms which are as follows:

1. The County agrees to allow the FWP to utilize the Facility on specified days during the length of this agreement for the purpose of sanctioned day and night firearms training and any other voluntary or mandatory use consistent with generally accepted law enforcement training.
2. FWP agrees to release, indemnify and hold the County harmless from and against all loss, cost, expense, judgments or settlements whatsoever resulting from any claim, demand, action, cause of action or suit arising from or relating to the use of the Facility in any manner whatsoever by participants or persons present for observation of any activities, including but not limited to use of ranges, buildings and land. The FWP shall, at the County's request, undertake in their name the defense of all actions arising from such occurrence. The FWP shall also pay all costs, damages, expenses and reasonable attorney's fees incurred by the County in connection with any such

claims and shall not settle any such claim against the County without the consent of the County, which consent shall not be unreasonably withheld. In the alternative, the County may undertake its own defense, but such undertaking shall not limit the FWP's obligation to pay all costs, expenses, damages, judgments and/or settlements, if any, associated therewith.

3. This Agreement may not be amended or modified except by another written instrument signed by the party or parties to be bound. In addition, FWP is prohibited from subleasing the Facility to individuals or agencies without the express written permission of the County.
4. This Agreement is intended to incur strict liability upon the FWP for use of the Facility. The County makes no warranty, either express or implied, as to the fitness of the Facility for a specific use, and the parties to this Agreement agree that use of the Facility necessarily creates dangerous and hazardous conditions by anyone for any purpose and that any use of the Facility represents dangerous conditions that can result in serious injury up to and including death.
5. This Agreement shall be interpreted, construed and enforced in accordance with the laws of the State of Montana, and the parties hereto agree that venue is only proper in Yellowstone County, Montana. This Agreement shall remain in full force and effect for one year from the date the FWP executes this Agreement. Thereafter, it is the intent of the parties to renew this Agreement on an annual basis. The County reserves the right to modify this Agreement at anytime during the term of this Agreement. Either party may terminate this agreement with written notice of termination sent certified mail to the other party.

6. The County shall not hold harmless or indemnify the FWP for any demands, liability, claims, actions, and cause of action, suits, losses, judgments, or settlements whatsoever.
7. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and shall remain enforceable in accordance with the terms hereof.
8. Each of the undersigned persons represents and warrants that he or she is authorized to execute this Agreement on behalf of the respective party, and that he or she has the full power and authority to bind such party to each and every provision of this Agreement.

IN WITNESS THEREOF, the parties have caused this Indemnification, Hold Harmless and Release Agreement to be executed by their duly authorized representative on the dates herein subscribed.

YELLOWSTONE COUNTY

MONTANA FISH, WILDLIFE & PARKS

By: Commissioner Denis Pitman

Date

Randy Hutzenbiler - Captain
By: [Signature]

7/26/21
Date

INDEMNIFICATION, HOLD HARMLESS AND RELEASE AGREEMENT Michael A. Schafer Training Facility

This Indemnification, Hold Harmless and Release Agreement ("Agreement") is made and entered into on this 4th day of February, 2021 ~~2020~~, between Yellowstone County, Montana, the Yellowstone County Montana Sheriff's Office, their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both official and individual capacities (hereinafter collectively referred to as "the County"), and the U.S. Probation & Pretrial Services, on behalf of their officers, agents, employees, representatives, board members, predecessors, successors, and assigns, and each of them in both their official and individual capacities (hereinafter collectively referred to as "US P&P").

WHEREAS, the Michael A. Schafer Training Facility (hereinafter the "Facility") is situated on approximately one hundred-fifty (150) acres of County property, with a mailing address of 1415 Shepherd Action Road. The Facility consists of two separate firing ranges found on six (6) acres located within the Facility. Both firing ranges are fenced off with chain link fencing complete with barbed wire uppers 9' high. One firing range is dedicated for handgun training, which has adjacent to it a small shed that serves as an observation tower; the other firing range is used for a variety of weapons including long rifle training. Additionally, the Facility has a classroom building, kitchen, restrooms, a small garage to house equipment and a gun cleaning building. In addition and outside the fenced perimeter is a modular home designated as the "shoot house" which is used for realistic training using simulated munitions;

WHEREAS, the US P&P wishes to make use of the Facility for the benefit of employees of the US P&P for the purpose of sanctioned training, including but not limited to, firearms training, day and night shoots and any other voluntary or mandatory law enforcement training;

WHEREAS, the County is willing to permit the US P&P to use the Facility, but at the same time, the County is unwilling to assume the risk for the US P&P's use of the facility;

WHEREAS, it is then in the mutual interest of the County and the US P&P to enter into the agreement as set forth below;

NOW, THEREFORE, in and for good consideration, the sufficiency of which is hereby mutually acknowledged and for the mutual covenants and promises set forth below, the County and the US P&P enter into this Agreement, effective immediately upon execution of this document, the terms which are as follows:

1. The County agrees to allow the US P&P to utilize the Facility on specified days during the length of this agreement for the purpose of sanctioned day and night firearms training and any other voluntary or mandatory use consistent with generally accepted law enforcement training.

2. ~~US P&P agrees to release, indemnify and hold the County harmless from and against all loss, cost, expense, judgments or settlements whatsoever resulting from any claim, demand, action, cause of action or suit arising from or relating to the use of the Facility in any manner whatsoever by participants or persons present for observation of any activities, including but not limited to use of ranges, buildings and land. The US P&P shall, at the County's request, undertake in their name the defense of all actions arising from such occurrence. The US P&P shall also pay all costs, damages, expenses and reasonable attorney's fees incurred by the County in connection with~~

*See page 4

~~any such claims and shall not settle any such claim against the County without the consent of the County, which consent shall not be unreasonably withheld. In the alternative, the County may undertake its own defense, but such undertaking shall not limit the US P&P's obligation to pay all costs, expenses, damages, judgments and/or settlements, if any, associated therewith.~~

3. This Agreement may not be amended or modified except by another written instrument signed by the party or parties to be bound. In addition, US P&P is prohibited from subleasing the Facility to individuals or agencies without the express written permission of the County.
4. This Agreement is intended to incur strict liability upon the US P&P for use of the Facility. The County makes no warranty, either express or implied, as to the fitness of the Facility for a specific use, and the parties to this Agreement agree that use of the Facility necessarily creates dangerous and hazardous conditions by anyone for any purpose and that any use of the Facility represents dangerous conditions that can result in serious injury up to and including death.
5. This Agreement shall be interpreted, construed and enforced in accordance with the laws of the State of Montana, and the parties hereto agree that venue is only proper in Yellowstone County, Montana. This Agreement shall remain in full force and effect for one year from the date the US P&P executes this Agreement. Thereafter, it is the intent of the parties to renew this Agreement on an annual basis. The County reserves the right to modify this Agreement at anytime during the term of this Agreement. Either party may terminate this agreement with written notice of termination sent certified mail to the other party.

6. The County shall not hold harmless or indemnify the US P&P for any demands, liability, claims, actions, and cause of action, suits, losses, judgments, or settlements whatsoever.
7. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and shall remain enforceable in accordance with the terms hereof.
8. Each of the undersigned persons represents and warrants that he or she is authorized to execute this Agreement on behalf of the respective party, and that he or she has the full power and authority to bind such party to each and every provision of this Agreement.

IN WITNESS THEREOF, the parties have caused this Indemnification, Hold Harmless and Release Agreement to be executed by their duly authorized representative on the dates herein subscribed.

YELLOWSTONE COUNTY

U.S. PROBATION & PRETRIAL
SERVICES

By: Commissioner Denis Pitman

Lisa Deffinbaugh
By: Lisa Deffinbaugh
Contracting Officer

Date

2-4-2021
Date

As per the Guide to Judiciary Policy, Volume 14, Chapter 5, Section 540.20(a)(8, the United States Probation Office for the District of Montana requests this section be replaced with the following:

"Notwithstanding any other term or provision of this agreement, the liability of the judiciary with respect to any claim for personal injury, death, property loss or damage pursuant to this agreement, is limited by and subject to the procedures and terms of the Federal Tort Claims Act, the Anti-deficiency Act and all other applicable federal laws and regulations."

B.O.C.C. Regular

Agenda Item 5. b.

Meeting Date: 08/03/2021

Title: Credit Card for YCDF New Lieutenant

Submitted For: Mike Linder, Sheriff

Submitted By: Mary Matteson

TOPIC:

Credit Card for New Lieutenant of Detention Facility

BACKGROUND:

The Sheriff's Office is requesting Commissioner approval for a new MasterCard for Lt. Dunny Bailey, lieutenant of Yellowstone County Detention Facility. All credit cards issued to Yellowstone County must have Commissioner approval. If approved, Finance will forward information to the bank for a MasterCard with a \$5,000.00 credit limit.

RECOMMENDED ACTION:

Approve Request and return a copy to Purchasing

B.O.C.C. Regular

Agenda Item 6. a.

Meeting Date: 08/03/2021

Title: ASO Benefit Application

Submitted By: Teri Reitz, Board Clerk

TOPIC:

ASO Benefit Program Application

BACKGROUND:

See attached.

RECOMMENDED ACTION:

Approve.

Attachments

ASO Benefit Application

ASO Benefit Program Application ("ASO BPA")

Application to Administrative Services Only (ASO) Group Accounts

administered by Blue Cross and Blue Shield of Montana, a division of Health Care Service Corporation,
a Mutual Legal Reserve Company, hereinafter referred to as the "Claim Administrator" or "BCBSMT"

Group Status: Renewing ASO Account

Employer Account Number (6-digits): 252390

Group Number(s): 252391, 252392

Section Number(s): 0001-0016, 9901-9908

Legal Employer Name: Yellowstone County

(Specify the Employer or the employee trust applying for coverage. Names of subsidiary or affiliated companies to be covered must also be named below. AN EMPLOYEE BENEFIT PLAN MAY NOT BE NAMED.)

ERISA Regulated Group Health* Plan: ☐ Yes ☒ No

Is your ERISA Plan Year* a period of 12 months beginning on the Effective Date of Coverage specified below? ☐ Yes

If not, specify your ERISA Plan Year*: Beginning Date ___/___/___ End Date ___/___/___ (month/day/year)

ERISA Plan Administrator*: _____

Plan Administrator's Address: _____

If you maintain that ERISA is not applicable to your group health plan, give legal reason for exemption:

Non-Federal Governmental Plan (Public Entity); if applicable, specify other: _____

Is your Non-ERISA Plan Year* a period of 12 months beginning on the Anniversary Date specified below? ☒ Yes

If not, please specify your Non-ERISA Plan Year*: Beginning Date ___/___/___ End

Date ___/___/___ (month/day/year)

For more information regarding ERISA, contact your Legal Advisor.

*All as defined by ERISA and/or other applicable law/regulations

Effective Date of Coverage: (Month/Day/Year) 07 / 01 / 2021

Anniversary Date: (Month/Day/Year) 07 / 01 / 2022

Account Information

☒ NO CHANGES

☒ SEE ADDITIONAL PROVISIONS

Standard Industry Code (SIC): 9920

Employer Identification Number (EIN): 81-6001449

Address: 217 North 27th Street Room 106

City: Billings

State: MT

ZIP: 59101

Administrative Contact: LynnDee Schmidt

Title: Benefits and Safety Manager

Email Address:

Phone Number: 406-256-2737

Fax Number: 406-254-7908

lschmidt@yellowstonecountymt.gov

☒ Mailing address is different from primary address

Mailing Address: PO Box 35041

City: Billings

State: MT

ZIP: 59107-5041

Mailing Contact: LynnDee Schmidt

Title: Benefits and Safety Manager

Email Address: lschmidt@yellowstonecountymt.gov

Phone Number: 406-256-2737

Fax Number: 406-254-7908

☐ Billing address is different from primary address

Billing Address: _____

City: _____

State: _____

ZIP: _____

Billing Contact: LynnDee Schmidt

Title: Benefits and Safety Manager

Email Address: lschmidt@yellowstonecountymt.gov

Phone Number: 406-256-2737

Fax Number: 406-254-7908

Wholly Owned Subsidiaries to be covered:

Affiliated Companies to be covered:

Employer Identification Number (EIN):

(If Subsidiaries or Affiliated Companies listed above are to be covered, Employer hereby confirms that Employer and the listed Subsidiaries and/or Affiliates are treated as a single employer under Internal Revenue Code Section 414(b), (c) or (m).)

Blue Access for Employers (BAE) Contact: LynnDee Schmidt
and Safety Manager

Title: Benefits

(The BAE Contact is the Employee authorized by the Employer to access and maintain the Employer's account in BAE.)

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Not for use or disclosure outside Claim Administrator, Employer, their respective affiliated companies and third-party representatives, except with written permission of Claim Administrator.

Email Address: Ischmidt@yellowstonecountymt.gov

Phone Number: 406-256-2737

Fax Number: 406-254-7908

☒ The Employer or other company listed in this BPA is a public entity or governmental agency/contractor

Producer of Record Information

☒ NO CHANGES ☐ SEE ADDITIONAL PROVISIONS

Effective: 01/01/2020

If applicable, the below-named producer(s) or agency(ies) is/are recognized as the Employer's Producer of Record (POR) to act as representative in negotiations with and to receive commissions from Blue Cross and Blue Shield of Montana, or Claim Administrator's corporate subsidiaries, as applicable, for procuring Claim Administrator's claims administration services for Employer's employee benefit program(s). This statement rescinds any and all previous POR appointments for the Employer. The POR is authorized to perform membership transactions on behalf of the Employer. This appointment will remain in effect until withdrawn or superseded in writing by Employer.

Producer or Agency to whom commissions are to be paid*: Alliant Insurance Services, Inc.

Montana Producer #: 010017891

Address: 1420 5th Ave Ste 1500

City: Seattle

State: WA

ZIP: 98101

Phone: 206-962-2000

Fax: _____

Email: MaryKay.Puckett@alliant.com

Is Producer/Agency appointed with BCBSMT in Montana? ☒ Yes ☐ No

Secondary Producer or Agency to whom commissions are to be paid*: Mary Kay Puckett, 0%

Montana Producer #: 107829564

Address: 1420 5th Ave Ste 1500

City: Seattle

State: WA

ZIP: 98101

Phone: 406-438-5615

Fax: _____

Email: MaryKay.Puckett@alliant.com

Is Producer/Agency appointed with BCBSMT of Montana? ☒ Yes ☐ No

Commissions:

☐ PCPM \$ Does a Monthly Cap Apply ☐ Yes ☐ No \$ (If cap is annual, divide by twelve)

☐ Flat \$ Does a Monthly Cap Apply ☐ Yes ☐ No \$ (If cap is annual, divide by twelve)

☐ Percentage of Stop Loss: %

ADDITIONAL COMMISSIONS: Producer 1 = 100%; Producer 2 = 0%

*The Producer or agency name(s) above to whom commissions are to be paid must exactly match the name(s) on the appointment application(s).

Schedule of Eligibility

☒ NO CHANGES

☒ SEE ADDITIONAL PROVISIONS

Employer has made the following eligibility decisions:

1. Eligible Person means:

☒ A full-time employee of the Employer.

☐ A full-time employee of the Employer who is a member of:

(name of union)

☒ A part-time employee of the Employer.

☒ A retiree of the Employer. Define criteria: _____

☒ Other:

COBRA

All Elected Officials

The following Participants are eligible for participation in the Plan:

1. Employees who have completed the Eligibility Waiting Period and who are actively working at least 40 hours per week for full-time Employees and 20-39 hours per week for part-time. Employees in the employ of entities eligible to participate in this health plan, or

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2. Employees retiring from entities eligible to participate in this health plan and are under age of 65, and within 31 days of retirement have:
 - a. Elected coverage, are at least age 50 (hired prior to July 1, 2011) or at least age 55 (hired July 1, 2011 or after), or on disability retirement and are receiving a monthly pension benefit from Montana Public Employee Retirement Board; and
 - b. Completed and filed with Yellowstone County, the Authorization for Deduction for Health Insurance Premium form.
3. Officials, who have been elected to office and completed at least one term of office, who are terminating employment, under age 65, and within 31 days of leaving office have:
 - a. Elected coverage; and
 - b. Are at least age 50 (elected prior to July 1, 2011) or at least age 55 (elected July 1, 2011 or after).

Retirees satisfying the above criteria, but receiving a pension payment less the amount of the health insurance premium, may continue coverage by submitting full payment by personal check to Yellowstone County. Premiums are requested by the 20th of each month for the following month's coverage. According to the terms of this contract, if a payment is not received by the due date (the first of the month) a 15-day grace period is allowed, but if full payment is not received within the grace period, the policy will be canceled. Check should be made payable to Yellowstone County. Mail payments to:

Yellowstone County
Human Resources
P.O. Box 35041
Billings, MT 59107

4. Employees under the age of 65 retiring from entities eligible to participate in this health plan, and within 31 days of retirement, currently enrolled retirees under the age of 65, and Elected Officials meeting the above criteria may opt to elect coverage on the "Exchange", a "Medicare Advantage C" plan, or a Medicare Supplement, will be eligible to make an election to re-enroll on the County's Health Plan during the annual election period for the next calendar year.
 - a. Retirees age 65 or older will not be eligible to re-enroll on the County's Health Plan;
 - b. Spouses or Retirees who are under the age of 65 will be eligible to remain on the plan until age 65 and dependent children of Retirees are eligible to remain on the health plan until age 26.
 - c. Retirees that are Medicaid eligible may enroll in a Medicare Advantage C plan or a Medicare Supplement with proof of coverage;
 - d. Retirees under age 65 may enroll in the "Exchange" with proof of coverage.
5. Qualifying Family Participants enrolled by an eligible plan Participant listed in numbers 1, 2 and 3 above;
or
6. Individuals and/or dependents qualifying under the special enrollment period; or
7. Individuals and/or dependents whose coverage ends under this employer group and who meet the requirements specified under Continuation of Benefits.

- Children: If both parents are covered by the group then the children can be covered under one parent.
- Reinstatement provision: Only applies to employees who are laid off. Employees returning to work within 1 year will not have to satisfy the 30 day probationary period or the 12 month pre-existing waiting period.

Are any classes of employees to be excluded from coverage? ☐ Yes ☒ No
If yes, please identify the classes and describe the exclusion: _____

2. Employee definition:

Full-Time Employee means:

- ☒ A person who is regularly scheduled to work a minimum of 40 hours per week and who is on the permanent payroll of the Employer.
- ☒ Other: See comments under Question 1

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Part-Time Employee means:

- ☒ A person who is regularly scheduled to work a minimum of 20 hours per week and who is on the permanent payroll of the Employer.
- ☒ Other: See comments under Question 1

3. The Effective Date of termination for a person who ceases to meet the definition of Eligible Person:

- ☐ The date such person ceases to meet the definition of Eligible Person.
- ☐ The last day of the calendar month in which such person ceases to meet the definition of an Eligible Person.
- ☒ Other:

An individual's insurance will end automatically on the earliest of the following dates:

*Note: "Period" is defined as the following:

1st of the month through the 15th of the month;

16th of the month through the last day of the month:

1. The date this Plan ends;
2. The end of the last period for which any required contribution agreed to in writing has been made (1st – 15th; or 16th – last day of month);
3. The last day of the period in which he or she is no longer eligible for insurance;
4. The last day of the period in which Employee's employment with the Employer ends. Except that: The Employer may, at its option, continue insurance as shown below for individuals whose employment has ended, if it does so without individual selection between Employees and if it continues making premium payments for those individuals.

Insurance may be continued for all Benefits for:

- An Employee on an approved leave of absence; or
- An Employee temporarily laid off; or
- An Employee unable to work because of disability.

Employee should refer to the Employee Handbook and/or Collective Bargaining Agreement for more specific information.

The Employer may, at its option, continue Employee's insurance for up to 12 months if the Employee's insurance would otherwise end due to his or her work schedule reducing to less than the minimum time required to qualify for coverage, provided the Employer does so without individual selection among Employees and provided that premium payments are continued for those individuals.

No Benefits are payable for charges incurred after an individual's insurance ends.

4. Select an effective date rule for a person who becomes an Eligible Person after the Effective Date of the Employer's health care plan (The effective date must not be later than the 91st calendar day after the date that a newly eligible person becomes eligible for coverage, unless otherwise permitted by applicable law).

- ☐ The date of employment.
☐ The _____ day of employment.
☐ The _____ day of the month following _____ month(s) of employment.
☐ The _____ day of the month following _____ days of employment.
☐ The _____ day of the month following the date of employment.
☒ Other:

An individual's coverage will be effective as follows:

1. Employees

If Employee coverage is noncontributory, an Employee's coverage will be effective on the day he or she becomes eligible.

If Employee coverage is contributory, each Employee who both applies for coverage on a form approved by BCBSMT and agrees in writing to pay the required contributions, will become covered as follows:

If the Employee applies within 31 days of the date he or she first becomes eligible, he or she will be covered on the later of:

- a. The date he or she applies; or
b. The date he or she becomes eligible.

2. Dependents

If dependent coverage is noncontributory, a dependent's coverage will be effective on the date he or she becomes eligible. The Employee must be covered in order for his or her dependents to be covered.

If the dependent coverage is contributory, the Employee who both applies for dependent coverage on a form approved by BCBSMT and agrees in writing to pay the required contributions for dependents will become covered for his or her dependents as follows:

If the Employee applies within 31 days after the date he or she became eligible for dependents' coverage, his or her dependents will be covered on the later of:

- a. The date the Employee applies for dependents' coverage; or
b. The date the Employee becomes covered.

3. Employees and Dependents

a. If an Employee and spouse are both Employees of the group, any children shall be considered dependents of only one of the Employees, not both.

b. If an individual is not eligible because:

- 1) The Employee is not actively working for the Employer; and/or
2) The dependent is confined in a Hospital or Skilled Nursing Facility;

The Employee will not become covered until the day he or she returns to full - time or qualified part - time active work and the dependent will not become covered if the Employee is not covered or if the dependent is confined in a Hospital or Skilled Nursing Facility.

Special Enrollment Period

A Special Enrollment Period is allowed with substantiating documentation for eligible Employees and/or dependents who are not currently enrolled and who originally declined coverage because they had other coverage, and:

- Whose other coverage was as a COBRA covered person and that coverage was exhausted, or
- Who lost eligibility for the prior coverage, or
- Who were covered on a group plan whose employer terminated contributions to that plan, and
- Who apply for coverage and submit required documentation under the current employer's plan within 31 days of the termination of such coverage.
- Who lost eligibility under either the Children's Health Insurance Program or the Medicaid Program, or the Employee or Family Participant becomes eligible for financial assistance for group health coverage, under either the Children's Health Insurance Program or the Medicaid Program.

A Special Enrollment Period also occurs when there is a change in family status: a birth, adoption, marriage, divorce, death or loss of eligible coverage.

*Note: "Period" is defined as the following:

- 1st of the month through the 15th of the month;
16th of the month through the last day of the month;

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• In the event of birth or adoption, the Employee and the Employee's dependents may enroll within 31 days of the birth or adoption. The effective date of the child will be the date of birth or adoption providing the new dependent was properly enrolled. The effective date of the dependents will be the first day of the period following birth or adoption.

• In the event of a marriage, an Employee previously eligible, but not enrolled, may enroll within 31 days after the marriage. The Employee's new spouse and/or unmarried children under the age of 26 may enroll within 31 days after the marriage. The effective date will be no later than the first day of the period beginning after the date the completed request for enrollment is received by the Plan.

• In the event of losing eligibility under either the Children's Health Insurance Program or the Medicaid Program, or the Employee must request enrollment for the Employee or Family Participant not later than 60 days after the date of termination of coverage. The effective date will be no later than the first day of the period beginning after the date the completed request for enrollment is received by the Plan.

Note: Required documentation may be, but not limited to, one or more of the following:

a. Certified marriage certificate;

b. Declaration of marriage without solemnization certificate;

c. Court adoption papers;

d. Certified birth certificate;

e. Employment paperwork showing separation of employment (i.e., reduction in force, termination letter, etc.);

f. Certificate of Eligible Coverage.

Is the waiting period requirement to be waived on initial group enrollment? ☐ Yes ☒ No

Are there multiple new hire waiting periods? ☐ Yes ☒ No

If yes, please attach eligibility and contribution details for each section.

5. Domestic partners covered: ☐ Yes ☒ No

If yes, a domestic partner is eligible to enroll for coverage.

If yes, are domestic partners eligible for continuation of coverage?

☐ Yes ☐ No

If yes, are dependents of domestic partners eligible to enroll for coverage?

☐ Yes ☐ No

If yes, are dependents of domestic partners eligible for continuation of coverage?

☐ Yes ☐ No

The Employer is responsible for providing notice of possible tax implications to those Covered Employees with coverage for domestic partners.

6. Limiting Age for covered children: Twenty-six (26) years, regardless of presence or absence of a child's financial dependency, residency, student status, employment status, marital status, eligibility for other coverage, or any combination of those factors. Other:

7. Termination of coverage upon reaching the Limiting Age:

☐ The last day of coverage is the day prior to the birthday.

☒ The last day of coverage is the last day of the month in which the limiting age is reached.

☐ The last day of coverage is the last day of the billing month.

☐ The last day of coverage is the last day of the year (12/31) in which the limiting age is reached.

☐ The last day of coverage is the day prior to the Employer's Anniversary Date.

Will coverage for a child who is medically certified as disabled and dependent on the employee terminate upon reaching the Limiting Age even if the child continues to be both disabled and dependent on the employee? ☐ Yes ☒ No

However, such coverage shall be extended in accordance with any applicable federal or state law. The Employer will notify BCBSMT of such requirements.

8. Disabled dependent: A disabled dependent means a dependent child who is medically certified as disabled and dependent upon the Employee or his/her spouse.

To administer medical certification of disabled dependents, you may select option (a) Standard Rules or (b) Custom Rules. If (b) is selected there are additional selections regarding age, proof of prior coverage, certification review, forms, and previous medical certification approvals.

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- (a) ☒ Disabled dependent administration will follow **Standard Rules**.

A disabled dependent is eligible to **continue** coverage beyond the limiting age, provided the disability began before the child attained the age of 26. A disabled dependent is eligible to **add** coverage beyond the limiting age, provided the disability began before the child attained the age of 26, and proof of coverage as a disabled dependent is provided. Administration of certification review is handled by BCBSMT; a disabled dependent certification form must be submitted to BCBSMT.

- (b) ☐ Disabled dependent Administration will follow **Custom Rules**. Please make the following sections:

Age: Please select one option regarding age of when the disability began.

- ☐ The disability must have begun before the child attained the age of 26.
☐ All disabled Dependents are covered regardless of when the disability began.

Proof of prior coverage: Please select required or not required below:

When **adding** coverage, proof of prior coverage as a disabled dependent is ☐ required ☐ not required.

Certification review: Please select one option regarding handling of certification review.

- ☐ Certification review is handled by BCBSMT; a disabled dependent certification form must be submitted to BCBSMT.
☐ Certification review is handled by the Employer; there are no disabled dependent certification form requirements.

If certification review is selected as handled by BCBSMT, please select one option regarding forms:

- ☐ The disabled dependent certification form will be utilized.
☐ A ☐ custom or ☐ other disabled dependent certification form will be utilized.

If Certification Review is selected as handled by BCBSMT, please select allowed or not allowed below:

A disabled dependent approved medical certification from a prior carrier is ☐ allowed ☐ not allowed.
A disabled dependent approved medical certification from a prior BCBS policy is ☐ allowed ☐ not allowed.

9. Will extension of benefits due to temporary layoff, disability or leave of absence apply?

☒ Yes (specify number of days below) ☐ No

Temporary Layoff: TBD by Yellowstone County days Disability: TBD by Yellowstone County days
Leave of Absence: TBD by Yellowstone County days

However, benefits shall be extended for the duration of an Eligible Person's leave in accordance with any applicable federal or state law. The Employer will notify BCBSMT of such requirements.

10. **Enrollment:**

Special Enrollment: An Eligible Person may apply for coverage, family coverage or add dependents within thirty-one (31) days of a Special Enrollment qualifying event if he/she did not previously apply prior to his/her Eligibility Date or when otherwise eligible to do so. Such person's Coverage Date, family Coverage Date, and/or dependent's Coverage Date will be the effective date of the qualifying event or, in the event of Special Enrollment due to marriage or termination of previous coverage, then no later than the first day of the Plan Month following the date of receipt of the person's application of coverage.

An Eligible Person may apply for coverage within sixty (60) days of a Special Enrollment qualifying event in the case either of a loss of coverage under Medicaid or a state Children's Health Insurance program, or eligibility for group coverage where the Eligible Person is deemed qualified for group coverage assistance under a state Medicaid or CHIP premium assistance program.

Open Enrollment: An Eligible Person may apply for coverage, family coverage or add dependents if he/she did not apply prior to his/her Eligibility Date or did not apply when otherwise eligible to do so, during the Employer's annual Open Enrollment Period. Such person's Coverage Date, family Coverage Date, and/or dependent's Coverage Date will be a date mutually agreed to by the Claim Administrator and the Employer. Such date shall be subsequent to the Open Enrollment Period. Specify Open Enrollment Period: TBD

Late Enrollment: An Eligible Person may apply for coverage, family coverage or add dependents if he/she did not apply prior to his/her Eligibility Date or did not apply when otherwise eligible to do so. Such person's Coverage Date,

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family Coverage Date, and/or dependent's Coverage Date will be a date mutually agreed to by the Claim Administrator and the Employer.

Select one of the provisions below:

- ☒ Open Enrollment – Late applicants may only apply during Open Enrollment.
☐ Late Entrant – Late applicants may apply at any time – coverage effective date is determined by the receipt date and the rules governing off-cycle enrollments.

11. * Does COBRA Auto Cancel apply? ☒ Yes ☐ No

Member's COBRA/Continuation of coverage will be automatically cancelled at the end of the member's eligibility period.

**Not recommended for accounts with automated eligibility*

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Lines of Business (Check all applicable services)

☐ NO CHANGES

☒ See Additional Provisions

Medical Plan Services:

- ☒ PPO
☐ POS
☐ Traditional

Consumer Driven Health Plan:

- ☒ Blue EdgeSM HSA (PPO) (Vendor: BenefitWallet)
☐ Health Care Account (HCA) Administrative Services (if purchased, complete separate HCA BPA)
☒ FSA (Vendor: BenefitWallet)

Additional Services:

- ☒ Wellbeing Management
☐ Wellness Incentives
☐ Health Advocacy Solutions
☐ Mercer Health Advantage
☐ Custom Care Management Unit
☐ Total Health Management (THM) (additional fee applies)
☐ Employee Assistance Program (EAP)
☐ Blue DirectionsSM (Private Exchange) (If selected, the Blue Directions Addendum is attached and made a part of the parties' Administrative Services Agreement.)

☐ Limited Fiduciary Services for Claims and Appeals

☐ Other Select Product
☐ Other Select Product
☐ Other
☐ Other

Ancillary Services:

- ☒ Dental Plan Services
☐ Vision Plan Services
☐ Stop Loss (if selected, complete separate Exhibit to the Stop Loss Coverage Policy)
☐ Life or Disability Insurance provided by separate carrier (if selected, complete separate Life application)
☒ COBRA Administrative Services (if selected, complete separate COBRA Administrative Services Addendum to the BPA)

Benefit Period

- ☒ Plan Year
☐ Contract Period to

Prescription Drugs:

- ☒ Covered under a pharmacy benefit (If selected, the PBM Fee Schedule Addendum must be attached and is part of this BPA.)
☐ Covered under the medical benefit

Pharmacy Network (Select one):

- ☒ Traditional Select Network
☐ Advantage Network
☐ Value Network
☐ Elite Network
☐ Network on PBM Fee Schedule Addendum

DRUG LIST: Balanced Drug List

Other (please specify): Benefit period is Calendar Year

PPO/HSA Preventive Drug List:

Please specify: HSA

Other Rx programs:

Please specify: Coupon Management Program

Mercer Health Advantage is offered by Mercer, an independent company, and is administered by Blue Cross and Blue Shield of Montana.

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FEE SCHEDULE

Employer shall pay amounts Claim Administrator bills Employer for benefit claims Claim Administrator processes on Employer's behalf as well as administrative fees as set forth in this Fee Schedule.

Payment Specifications		<input checked="" type="checkbox"/> NO CHANGES	<input checked="" type="checkbox"/> SEE ADDITIONAL PROVISIONS
Employer Payment Method: <input type="checkbox"/> Online Bill Pay <input checked="" type="checkbox"/> Electronic <input type="checkbox"/> Auto Debit <input type="checkbox"/> Check			
Employer Payment Period: <input checked="" type="checkbox"/> Weekly (cannot be selected if Check is selected as payment method above) <input type="checkbox"/> Semi Monthly (cannot be selected if Check is selected as payment method above) <input type="checkbox"/> Monthly			
Claim Settlement Period: <input checked="" type="checkbox"/> Monthly			
Run-Off Period: Employer Payments are to be made for 12 months following end of Fee Schedule Period. <i>Standard is twelve (12) months.</i>			
Fee Schedule Period: To begin on Effective Date of Coverage and continue for 12 months. If other than 12 months, please specify: Months.			
Administrative Per Employee Per Month (PEPM) Charges		<input type="checkbox"/> NO CHANGES	<input type="checkbox"/> SEE ADDITIONAL PROVISIONS
	Composite		
Administrative Fee	\$25.14	\$ _____	\$ _____
Dental	\$3.40	\$ _____	\$ _____
Limited Fiduciary Services	\$ _____	\$ _____	\$ _____
Medical Rebate Credit	\$(2.10)	\$ _____	\$ _____
*Rebate Credit for the Prescription Drug Program	\$(57.85)	\$ _____	\$ _____
Outpatient Imaging Management Services	\$ _____	\$ _____	\$ _____
Management of the Virtual Visits Program	\$ _____	\$ _____	\$ _____
Wellbeing Management	\$ _____	\$ _____	\$ _____
Health Advocacy Solutions	\$ _____	\$ _____	\$ _____
Commissions: _____	\$ _____	\$ _____	\$ _____
Commissions: _____	\$ _____	\$ _____	\$ _____
Commissions: _____	\$ _____	\$ _____	\$ _____
Other: Product-Related Services List Service: <u>Stop Loss Carrier Fee</u>	\$50	\$ _____	\$ _____
Other: Prescription Drug Administrative Fee List Service: _____	\$3.00	\$ _____	\$ _____
Other: Other Services List Service: <u>Core Behavioral Health</u>	\$1.00	\$ _____	\$ _____
Other: Select Service Category List Service: _____	\$ _____	\$ _____	\$ _____
Miscellaneous: _____	\$ _____	\$ _____	\$ _____
Miscellaneous: _____	\$ _____	\$ _____	\$ _____
Total	\$(26.91)	\$ _____	\$ _____

Proprietary and Confidential Information of Claim Administrator

Not for use or disclosure outside Claim Administrator, Employer, their respective affiliated companies and third-party representatives, except with written permission of Claim Administrator.

*The Rebate Credit is a per Covered Employee per month credit applied to the monthly billing statement. The Employer and Claim Administrator have agreed to the Rebate Credit and Employer agrees that it and its group health plan have no right to, or legal interest in, any portion of the rebates, either under the pharmacy benefit or the medical benefit, actually provided by the Pharmacy Benefit Manager ("PBM") or a pharmaceutical manufacturer to Claim Administrator and consents to Claim Administrator's retention of all such rebates. The Rebate Credit will be provided from Claim Administrator's own assets and may or may not equal the entire amount of rebates actually provided to Claim Administrator by the PBM or expected to be provided. Rebate Credits shall not continue after termination of the Prescription Drug Program. Employer agrees that any Rebate Credit provision in the governing Administrative Services Agreement to the contrary is hereby superseded.

Administrative Line Item Charges	Frequency	Amount
Other: Select Service Category List Service: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Other: Select Service Category List Service: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Other: Select Service Category List Service: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Other: Select Service Category List Service: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Miscellaneous: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Miscellaneous: _____	Select Billing Frequency If applicable, describe other: _____	\$ _____
Total:		\$ _____

Other Service and/or Program Fee(s) ☒ **NO CHANGES** ☒ **SEE ADDITIONAL PROVISIONS**

Not applicable to Grandfathered Plans
External Review Coordination: ☒ Yes ☐ No
If yes, coordination fee: \$700 for each external review requested by a Covered Person that the Claim Administrator coordinates for the Employer in relation to the Employer's Plan. Employer elects for external reviews to be performed under the Affordable Care Act external review process.

Reimbursement Service: ☒ Yes ☐ No
If yes: It is understood and agreed that in the event Claim Administrator makes a recovery on a third-party liability claim, Claim Administrator will retain 25% of any recovered amounts other than recovery amounts received as a result of or associated with any Workers' Compensation Law.

Third-Party Recovery Vendors and Law Firms Provisions (other than Reimbursement Services): ☒ Yes ☐ No
Employer will pay no more than 25% of any recovered amount made by Claim Administrator's Third-Party Recovery Vendor or up to 25% of any recovered amount will be deducted from the amount distributed according to established allocation processes. Employer will pay no more than 35% of any recovered amount made by Claim Administrator's third-party law firm or up to 35% of any recovered amount will be deducted from the amount distributed according to established allocation processes.

Alternative Compensation Arrangements: Employer acknowledges and agrees that Claim Administrator has Alternative Compensation Arrangements with contracted Providers, including but not limited to Accountable Care Organizations and other Value Based Programs. Further information concerning Employer's payment for Covered Services under such Arrangements is described in the Administrative Services Agreement between the Claim Administrator and the Employer.

Virtual Visits Program: ☐ Yes ☒ No **If yes,** Covered Persons would be able to obtain certain Covered Services remotely via interactive video and/or interactive audio/video (where available outside the state of Montana) capability from Virtual Visits powered by MDLIVE.

Proprietary and Confidential Information of Claim Administrator

Not for use or disclosure outside Claim Administrator, Employer, their respective affiliated companies and third-party representatives, except with written permission of Claim Administrator.

Termination Administrative Charges

As applies to the Run-Off Period indicated in the Payment Specifications section above:

- i. **For service charges (including, but not limited to, access fees) billed on a per Covered Employee basis at the time of termination of the Administrative Services Agreement or partial termination of Covered Employees**, the Termination Administrative Charge will be the amount equal to ten percent (10%) of the annualized charges based on the service charges in effect as of the termination date or date of partial termination and the Plan participation of the two (2) months immediately preceding the termination date or date of partial termination. Such aggregate amount will be due the Claim Administrator within ten (10) days of the Claim Administrator's notification to the Employer of the Termination Administrative Charge described herein.
- ii. **For service charges (including, but not limited to, access fees) billed on a basis other than per Covered Employee at the time of termination of the Administrative Services Agreement or partial termination of Covered Employees**, the Termination Administrative Charge will be such service charges in effect at the time of termination of the Agreement or partial termination of Covered Employees to be applied and billed by the Claim Administrator, and paid by the Employer, in the same manner as prior to termination of the Agreement or partial termination of Covered Employees.

The Termination Administrative Charge applicable to the Run-Off Period shall be equal to the sum of the amounts obtained by multiplying the total number of Covered Employees by category (*per Covered Employee per individual or family composite*) during the three (3) months immediately preceding the date of termination by the appropriate factors shown below.

Service	Composite			
Medical Run-off Administration Charge:	\$19.78	\$ _____	\$ _____	\$ _____
Dental Run-off Administration Charge	\$ _____	\$ _____	\$ _____	\$ _____
Miscellaneous	\$ _____	\$ _____	\$ _____	\$ _____
Miscellaneous	\$ _____	\$ _____	\$ _____	\$ _____
Total:	\$19.78	\$ _____	\$ _____	\$ _____

Additional Comments: BCBSMT will provide a one-time wellness/transition credit of \$50,000 for the twelve-month period beginning on the contract effective date to be used to cover costs and expenses associated with implementation and/or operation of a wellness program. If Yellowstone County cancels coverage before expiration of the policy period, Yellowstone County will be required to refund BCBSMT the full amount of the wellness credit.

Other Provisions

☐ NO CHANGES ☐ SEE ADDITIONAL PROVISIONS

1. Summary of Benefits & Coverage:

- a. Will Claim Administrator create Summary of Benefits and Coverage (SBC)?
 - ☒ Yes. (Please answer question b. The SBC Addendum is attached.)
 - ☐ No. (If No, then skip question b and refer to the Administrative Services Agreement for further information.)
- b. Will Claim Administrator distribute the (SBC) to Covered Persons?
 - ☒ No. Claim Administrator will create SBC (only for benefits Claim Administrator administers under the Agreement) and provide SBC to Employer in electronic format. Employer will then distribute SBC to Covered Persons (or hire a third party to distribute) as required by law.
 - ☐ Yes. Claim Administrator will create SBC (only for benefits Claim Administrator administers under the Agreement) and provide SBC to Employer in electronic format. Employer will then distribute to Covered Persons as required by law, except that Claim Administrator will send the SBC in response to any request received directly from Covered Persons.

Proprietary and Confidential Information of Claim Administrator

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- ☐ Yes. Claim Administrator will create SBC (only for benefits Claim Administrator administers under the Agreement) and distribute SBC plan to participants and beneficiaries via regular hardcopy mail or electronically. Distribution Fee for hardcopy mail is \$1.50 per package. The distribution fee will not apply to SBCs that Claim Administrator sends in response to any request received directly from a Covered Person.

2. Massachusetts Health Care Reform Act:

Does the Employer direct Claim Administrator to provide written statements of creditable coverage to its Covered Employees who reside, or have enrolled dependents who reside, in Massachusetts and file electronic reports to the Massachusetts Department of Revenue in a manner consistent with the requirements under the Massachusetts Health Care Reform Act? ☒ Yes ☐ No

If no: The Employer acknowledges it will provide written statements and electronic reporting to the Massachusetts Department of Revenue if required by the Massachusetts Health Care Reform Act.

3. Prior Authorization (applicable to the purchased medical management program): Employer acknowledges and agrees to utilize Claim Administrator's standard list of services and supplies for which pre-notification or preauthorization is required: ☒ Yes ☐ No

If no, Employer authorizes Claim Administrator to post Employer's pre-notification or preauthorization requirements on Claim Administrator's Website: ☐ Yes ☐ No

4. Essential Health Benefits ("EHB") Election:

Employer elects EHBs based on the following:

1. ☒ EHBs based on a Claim Administrator state benchmark:
☐ Illinois ☒ Montana ☐ New Mexico ☐ Oklahoma ☐ Texas
2. ☐ EHBs based on benchmark of a state other than IL, MT, NM, OK and TX
If so, indicate the state's benchmark that Employer elects: ____
3. ☐ Other EHB, as determined by Employer

In the absence of an affirmative selection by Employer of its EHBs, then Employer is deemed to have elected the EHBs based on the Montana benchmark plan.

5. Alternative Care Management Program (applicable to the purchased medical management program):

☒ Yes ☐ No

The undersigned representative authorizes provision of alternative benefits for services rendered to Covered Persons for Utilization Management, Case Management, including but not limited to Behavioral Health, and other health care management programs.

6. This ASO BPA is binding on both parties and is incorporated into and made a part of the Administrative Services Agreement between the parties with both such documents to be referred to collectively as the "Agreement" unless specified otherwise.

7. Producer/Consultant Compensation:

The Employer acknowledges that if its POR acts on its behalf for purposes of purchasing services in connection with the Employer's Plan under the Administrative Services Agreement to which this ASO BPA is attached, the Claim Administrator may pay the Employer's POR a commission and/or other compensation in connection with such services under the Agreement. If the Employer desires additional information regarding commissions and/or other compensation paid to the POR by the Claim Administrator in connection with services under the Administrative Services Agreement, the Employer should contact its POR.

Additional Provisions:

Group is a 7-1 Plan Year. Plan Document should list the plan as a 7-1 Plan year

- Spouse is defined as, The opposite sex or the same sex person to whom the Employee cohabitates and is legally married, based upon the law in effect at the time of and in the state or other appropriate jurisdiction in which the marriage was performed, recognized, or declared.

Dependents over 18 do not have to sign an enrollment form. Reference needs to be removed.

Proprietary and Confidential Information of Claim Administrator

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- For the purposes of the SPD, special enrollment period should be noted as: 1st through the 14th and then 15th through the last day of the month. The paperwork says 1st through the 15th and then 16th through the end of the month for our system requirement, but the book need to say through the 14th and then 15th until the end of the month. This clarification in our SPD is needed so it matches the county's other handbooks and documentation.

- Yellowstone County Human Resources is the Plan Administrator, Plan Sponsor, and Plan Fudiciary
- Dwight Vigness, HR Director, is the Plan Contact, Plan Leader and has access to PHI through the portal.
- LynnDee Schmidt, Benefits and Safety Manager, is a Plan Contact, Appeals/Exception Contact, Claims and Admin Fee Billing Contact, Privacy Contact, and has Access to PHI through the portal
- Yellowstone County Civil Attorney, Attn: Plan Sponsor, is the Agent for Service of Legal process

BCBSMT creates the plan documents and these include the Plan Logo. BCBSMT will provide Yellowstone County electronic copies for distribution. - BCBSMT will provide 25 hard copies of each SPD to Yellowstone County

- ID Cards include the Plan Logo and is a combined medical/rx/dental card

- All eligibility is provided by Yellowstone County

- BCBSMT can accept address and demographic changes directly from participants

- Group does not offer free coverage for 31 day babies/grand children. Permanent addition only via Plan notification. Grandchildren are only allowed via legal adoption and notification is from Plan only

Appeals Determinations and Extra Contractual Benefits

The Plan Administrator or Plan Contact identified above is authorized to render a final determination as to whether to uphold Claim Administrator's determination on appeal to deny benefits to a Covered Person. The individual(s), if any, identified on Claim Administrator's Letter of Acknowledgment and Indemnification for Extra-Contractual Payments is(are) authorized to request extra-contractual benefits on behalf of Covered Persons. A Letter of Acknowledgment need only be executed annually.

Signature

Erin Huffman *Erin M. Huffman*
Sales Representative

600 406-437-6336
District Phone & FAX Numbers

Mary Kay Puckett
Producer Representative

Alliant Insurance Services, Inc.
Producer Firm

1420 5th Ave Ste 1500, Seattle, WA 98101
Producer Address

406-438-5615
Producer Phone & FAX Numbers

MaryKay.Puckett@alliant.com
Producer Email Address

107829564
Tax I.D. No.

Dwight Vigness
Signature of Authorized Purchaser

Dwight Vigness
Print Name

H.R. Director
Title

July 26, 2021
Date

Proprietary and Confidential Information of Claim Administrator

Not for use or disclosure outside Claim Administrator, Employer, their respective affiliated companies and third-party representatives, except with written permission of Claim Administrator.

PROXY

The undersigned hereby appoints the Board of Directors of Health Care Service Corporation, a Mutual Legal Reserve Company, or any successor thereof ("HCSC"), with full power of substitution, and such persons as the Board of Directors may designate by resolution, as the undersigned's proxy to act on behalf of the undersigned at all meetings of members of HCSC (and at all meetings of members of any successor of HCSC) and any adjournments thereof, with full power to vote on behalf of the undersigned on all matters that may come before any such meeting and any adjournment thereof. The annual meeting of members is scheduled to be held each year in the HCSC corporate headquarters on the last Tuesday of October at 12:30 p.m. Special meetings of members may be called pursuant to notice provided to the member not less than thirty (30) nor more than sixty (60) days prior to such meetings. This proxy shall remain in effect until either revoked in writing by the undersigned at least twenty (20) days prior to any meeting of members or by attending and voting in person at any annual or special meeting of members.

From time to time, HCSC pays indemnification or advances expenses to its directors, officers, employees or agents consistent with HCSC's bylaws then in force and as otherwise required by applicable law.

Group No.: 252390

By:

Dwight Vigness

Print Signer's Name Here



Dwight Vigness H.R. Director

Signature and Title

Group Name: Yellowstone County

Address: 217 North 27th Street, Room 106

City: Billings State: MT ZIP: 59101-1939

Dated this 26 day of July 2021
Month Year

Proprietary and Confidential Information of Claim Administrator

Not for use or disclosure outside Claim Administrator, Employer, their respective affiliated companies and third-party representatives, except with written permission of Claim Administrator.

B.O.C.C. Regular

Agenda Item 6. b.

Meeting Date: 08/03/2021

Title: PAR

Submitted By: Teri Reitz, Board Clerk

TOPIC:

PERSONNEL ACTION REPORT - Sheriff's Office - 2 Salary & Other, 3

Terminations; **Detention Facility** - 3 Appointments, 3 Salary & Other; **MetraPark** - 1

Appointment; **Youth Services Center** - 1 Appointment, 1 Termination; **County**

Attorney - 1 Appointment, 1 Termination; **Clerk and Recorder** - 1 Appointment; **Justice**

Court - 3 Appointments; **Road and Bridge** - 1 Appointment; **Clerk of Court** - 1 Salary &

Other: 1 Termination

BACKGROUND:

See attached.

RECOMMENDED ACTION:

Approve.

Attachments

PARS01

PAR

PARS03

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT
Section 1



Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Mikelle Joki Effective Date: 8/2/2021
Current Title: Deputy Clerk Gr. C Salary \$ 1692
Title Change: _____ Gr. _____ Salary \$ 1776 5% increase

Check as Applicable:

Regular Full Time: ☒
Regular Part Time: _____
Temp Full Time: _____
Temp Part Time: _____
Seasonal Hire: _____
Replaces position _____
Name _____
New Budgeted Position _____
Other: _____
New Hire: _____
Rehire: _____
Termination: _____
Promotion: _____
Transfer: _____
Demotion: _____
Reclassification: _____

Funding: 1000 - 221 - 410330 - 111 Percent 100 New Account _____
Percent _____ Split Account _____

Elected Official/Department Head _____ Date 7/26/2021

Section 2

Human Resources:

Finance:

Note: _____

Note: _____

Director Allyson 7-26-21 Date _____

Director Allyson 7-26-21 Date _____

H.R. Comments:

Commissioner's Action

MFPF - Article 6 Section 4
along some cities of supervisor
position SV

Approve _____ Disapprove _____

Date entered in payroll _____

Clerk & Recorder - original _____

Human Resources - canary _____

Auditor - pink _____

Department - goldenrod _____

Chair _____

Member JD _____

Member _____

County of Yellowstone



TERRY HALPIN
CLERK OF THE DISTRICT COURT

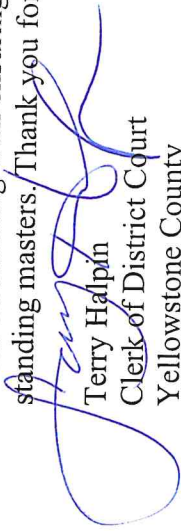
(406) 256-2851-Civil Division
(406) 256-2860-Criminal Division
(406) 256-2995-Fax
P.O. BOX 35030
BILLINGS, MT 59107-5030

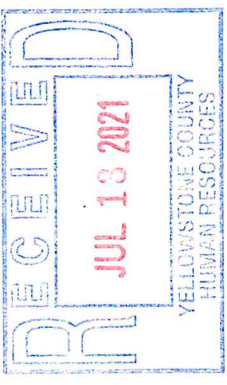
July 26, 2021

BOCC
Yellowstone County

Dear Board Members:

Please consider this my request to temporarily increase the hourly wage for Mikelle Jokki. In light of our critical staffing shortage, she has stepped up and taken on several additional job duties, including training courtroom staff, updating training documents, increased responsibility for processing documents in the e-filing queue, other duties as requested. In addition, she has taken on assisting with ensuring courtroom coverage for all eight judges, as well as the two standing masters. Thank you for your consideration of this request.


Terry Halpin
Clerk of District Court
Yellowstone County



JUL 26 2021

YELLOWSTONE COUNTY PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Matthew Frederickson

Current Title: Metro Maint Worker

Gr.
Salary \$ 18.36

Title Change: _____

Gr. _____ Salary \$ _____

Check as Applicable:

Regular Full Time:
Regular Part Time:

New Hire:

Regular Part Time:

Rehire:

Temp Full Time:
Temp Part Time:

Termination:

Seasonal Hire:

Promotion:

Replaces position,

Transfer:

Name Johnny Farrell

New Budgeted Position

Demotion:

Other:

Reclassification:

Funding: 5810	- 552	- 460442	- 111	Percent <u>100%</u>	New Account
	-	-	-	Percent	Split Account

Bill Entchen

Elected Official/Department Head

Section 2

Human Resources:

Finance:

Note: RdS Followed TK

Note:

Charlie Victoria 7/23/21
Director Date

Director Date

H.R. Comments:

DV on vac.

Commissioner's Action

Disapprove

Approve

Date entered in payroll

Chair

Clerk & Recorder - original

Member 

Human Resources – canary

Member

Auditor – pink

Department - goldenrod

revised 02/13

JUL 26 2021



YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT
Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Ann Marie McKittrick Effective Date: 7/20/21
Current Title: Senior Deputy County Attorney Gr. K Salary \$ 43,200/hour
Title Change: _____ Gr. _____ Salary \$ _____

Check as Applicable:

Regular Full Time: _____ New Hire: _____
Regular Part Time: _____ Rehire: _____
Temp Full Time: _____ Termination: X
Temp Part Time: _____ Promotion: _____
Seasonal Hire: _____
Replaces position _____ Transfer: _____
Name _____ Demotion: _____
New Budgeted Position _____

Other: _____

Reclassification: _____

Funding: 3301-122 - 411100 - 111 Percent 100 New Account _____
Percent _____ Split Account _____

Elected Official/Department Head _____ Date 7/19/21

Section 2

Human Resources: _____

Finance: _____

Note: Dwight on Vac. _____
Director Charlie Victor Date 7/22/21

Note: _____
Director Juliana Date 7-26-21

H.R. Comments: _____

Commissioner's Action
Approve _____ Disapprove _____

Date entered in payroll _____
Clerk & Recorder - original _____
Human Resources - canary _____
Auditor - pink _____
Department - goldenrod _____

Chair _____
Member JD _____
Member _____

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Shaika Chevlier Effective Date: 6/22/2021
Current Title: F.I.I. in Counselor Gr. Salary \$ 14.50
Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: New Hire:
Regular Part Time: Rehire:
Temp Full Time: Termination: ✓
Temp Part Time: ✓ Promotion:
Seasonal Hire: Transfer:
Replaces position Name Demotion:
New Budgeted Position

Other: no longer F.I.I. Reclassification:
Funding: 2399 - 235 - 420250 - 112 Percent 100% New Account
Percent Split Account
Jan Killy 7/20/2021
Elected Official/Department Head Date

Section 2

Human Resources: Finance:
Note: Note:
Director 7-26-21 Director 7.26.21 Date Date
H.R. Comments: Commissioner's Action
 Approve Disapprove

 Chair
 Member
 Member
Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Shaika Chevalier Effective Date: 7/19/2021
Current Title: Fill-in Counselor Gr. Salary \$ 15.25
Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: New Hire:
Regular Part Time: Rehire: ✓
Temp Full Time: Termination:
Temp Part Time: ✓ Promotion:
Seasonal Hire: Transfer:
Replaces position Demotion:
Name
New Budgeted Position

Other: Reclassification:

Funding: 2391-235 - 420250 - 112 Percent 100% New Account
Percent Split Account

Jam Kelly 7/20/21
Elected Official/Department Head Date

Section 2

Human Resources:

Finance:

Note:
Stygnis 7-26-21 Date
Director

Note: Date
Jam Jones 7.26.21
Director

H.R. Comments:

Commissioner's Action
Approve Disapprove

 Chair
 Member
 Member

Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: POE, JON M Effective Date: 8/16/2021

Current Title: DEPUTY SHERIFF Gr. Salary \$ 31.67/HR

Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: XXX New Hire:

Regular Part Time: Rehire:

Temp Full Time: Termination:

Temp Part Time: Promotion:

Seasonal Hire: Transfer:

Replaces position Demotion:

Name Reclassification:

New Budgeted Position

Other RTN from Military Deployment XX

Funding: 2300 - 132 - 420150 - 111 Percent 100 New Account
 - - Percent Split Account

M. H. J. L. 7-14-21
Elected Official/Department Head Date

Section 2

Human Resources: Finance:

Note: Note:
Director Date Director Date

H.R. Comments: Commissioner's Action
 Approve Disapprove

Chair

Member

Member

Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

Section 1

revised 02/13

Section 1

Gr. _____ Salary \$22.70/HR FY 20 21

Date _____

revised 02/13

YELLOWSTONE COUNTY PERSONNEL ACTION REPORT

Section 1 is to be completed by the initiating department for recommended personnel changes

Effective Date: 08/02/2021

Gr.	Salary \$	20.45/HR	FY20/21

Gr. _____ Salary \$ _____

Regular Full Time: XXXX

New Hire:

XX

Rehire:

Termination:

Promotion:

Replaces position Horrell

position ~~Har~~
~~TOIN~~ ~~C~~

Demotion:

Reclassification:

Percent 100 New Account

Percent 100 New Account

Percent Split Account

7/19/2021

Date _____

Human Resources:

Finance:

Note:

Director Date

Director

Commissioner's Action

Approve

Chair

Member *VB*

Clerk & Recorder - original

Human Resources – canary

Auditor – pink

Department - goldenrod

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: MURRAY, ANDREW E Effective Date: 8/2/2021
Current Title: Detention Officer Gr. Salary \$ 20.45/HR FY 20 21
Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: XX New Hire: X

Regular Part Time: Rehire:

Temp Full Time: Termination:

Temp Part Time: Promotion:

Seasonal Hire: Transfer:

Replaces position XX Demotion:

Name MATTSON

New Budgeted Position Reclassification:

Other:

Funding: 2300 - 136 - 420200 - 111 Percent 100 New Account
 - - - Percent Split Account

LT. S. Matygen 7/19/2021
Elected Official/Department Head Date

Section 2

Human Resources:

Finance:

Note: RHS FOLLOWED - TK

Note:

Director 7-26-21 Date
 Date

Director 7-26-21 Date
 Date

H.R. Comments:

Commissioner's Action
Approve Disapprove

Chair

Date entered in payroll

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

Department - goldenrod

Section 1

revised 02/13

YELLOWSTONE COUNTY PERSONNEL ACTION REPORT

Section 1 is to be completed by the initiating department for recommended personnel changes

Title Change: _____ Gr. _____ Salary \$ _____

Regular Part Time: _____

Temp Part Time:	Termination:	xx
-----------------	--------------	----

Name _____

7/19/2021

revised 02/13

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT
Section 1



Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Kelsey Langford Effective Date: 8/2/21
Current Title: Justice Court Clerk Gr. C Salary \$ 13.82/hr.
Title Change: _____ Gr. _____ Salary \$ _____

Check as Applicable:

Regular Full Time: ☒ New Hire: ☒
Regular Part Time: _____ Rehire: _____

Temp Full Time: _____ Termination: _____
Temp Part Time: _____ Promotion: _____

Seasonal Hire: _____ Transfer: _____

Replaces position _____ Demotion: _____

Name Kris Fabricius

New Budgeted Position _____

Other: _____ Reclassification: _____

Funding: 1000 - 121 - 410340 - 111 Percent _____ New Account _____
- - - - - Percent _____ Split Account _____

Elected Official/Department Head _____ Date July 22, 2021

Section 2

Human Resources:

Finance:

Note: RdS FOLLOWED-TJK

Note: _____

Director St. Vignier 7-26-21 Date _____

Director Jan Jones 7-26-21 Date _____

H.R. Comments: _____

Commissioner's Action
Approve _____ Disapprove _____

Chair _____

Date entered in payroll _____

Clerk & Recorder - original _____

Human Resources - canary _____

Auditor - pink _____

Department - goldenrod _____

JUL 26 2021



YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Tiffany Johannes Effective Date: 8/9/21
Current Title: Justice Court Clerk Gr. C Salary \$ 13.82/hr.
Title Change: _____ Gr. _____ Salary \$ _____

Check as Applicable:

Regular Full Time: ☒ New Hire: ☒

Regular Part Time: _____ Rehire: _____

Temp Full Time: _____ Termination: _____

Temp Part Time: _____ Promotion: _____

Seasonal Hire: _____ Transfer: _____

Replaces position OLD ELK Demotion: _____

Name Anie-Kens ZKas

New Budgeted Position _____

Other: _____ Reclassification: _____

Funding: 1000 - 121 - 410340 - 111 Percent _____ New Account _____
Percent _____ Split Account _____

Elected Official/Department Head _____ Date July 22, 2021

Section 2

Human Resources: _____ Finance: _____

Note: RdS FOLLOWED-TJK Note: _____
Director _____ Date _____
Director _____ Date _____

H.R. Comments: _____ Commissioner's Action
Approve _____ Disapprove _____

Chair _____
Member _____
Member _____

Date entered in payroll _____
Clerk & Recorder - original _____
Human Resources - canary _____
Auditor - pink _____
Department - goldenrod _____

JUL 26 2021



YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT
Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Riley Lawrence Effective Date: 8/2/21
Current Title: Justice Court Temp Intern Gr. C Salary \$ 13.82/hr.
Title Change: _____ Gr. _____ Salary \$ _____

Check as Applicable:

Regular Full Time: _____ New Hire: X
Regular Part Time: _____
Temp Full Time: X Rehire: _____
Temp Part Time: _____ Termination: _____
Seasonal Hire: _____ Promotion: _____
Replaces position _____ Transfer: _____
Name _____
New Budgeted Position _____ Demotion: _____

Other: _____ Reclassification: _____

Funding: 1000 - 121 - 410340 - 112 Percent _____ New Account _____
Percent _____ Split Account _____

Leanne M. M.
Elected Official/Department Head

Date 7/12/2021

Section 2

Human Resources:

Finance:

Note: _____
Shirley 7-26-21
Director Date

Note: _____
John Jones 7-20-21
Director Date

H.R. Comments:

Commissioner's Action
Approve _____ Disapprove _____

Chair

Date entered in payroll _____

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

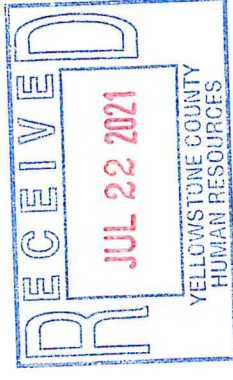
Department - goldenrod

JUL 26 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes



Name: Jesse Erickson Effective Date: 8/23/21
Current Title: Deputy Col. 1st Gr. I Salary \$ 64,000*
Title Change: _____ Gr. _____ Salary \$ _____
Check as Applicable: *Subject to change if Teamster Contract Agreement Reached.
Regular Full Time: _____ New Hire: X
Regular Part Time: _____
Temp Full Time: _____
Temp Part Time: _____
Seasonal Hire: _____
Rehire: _____
Termination: _____
Promotion: _____
Transfer: _____
Demotion: _____
Other: _____
Reclassification: _____
Funding: 201 - 122 - 41100 - III Percent 100 New Account _____
Percent _____ Split Account _____
Elected Official/Department Head _____ Date 7/22/21

Section 2

Human Resources: _____ Finance: _____
Note: Rd 5 FOLLOWED TJK Note: _____
Director _____ Date _____
H.R. Comments: _____
Commissioner's Action
Approve _____ Disapprove _____
Chair _____
Member JD _____
Member _____
Date entered in payroll _____
Clerk & Recorder - original _____
Human Resources - canary _____
Auditor - pink _____
Department - goldenrod _____

JUL 28 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: MARTIN, EMILY B Effective Date: 7/22/2021
Current Title: SHERIFF CLERK Gr. Salary \$ 13.82/HR
Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: XX New Hire:
Regular Part Time: Rehire:
Temp Full Time: Termination: XX
Temp Part Time: (Voluntary)
Seasonal Hire: Promotion:
Replaces position Name Transfer:
New Budgeted Position Demotion:

Other: Reclassification:

Funding: 2300 - 134 - 420170 - 111 Percent 100 New Account
Percent Split Account

Pat O'Dell 7/22/2021
Elected Official/Department Head Date

Section 2

Human Resources:

Note: Dwight on vac.
Charri Victory 7/22/21
Director Date

H.R. Comments:

Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

Finance:

Note: Jul Jones 7.26.21
Director Date
Commissioner's Action
Approve Disapprove

Chair
Member
Member

JUL 28 2021

YELLOWSTONE COUNTY PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: THOMPSON, JASON Effective Date: 8/1/2021

Current Title: Deputy Sheriff/DIFF Gr. Salary \$ 28.22/HR

Title Change: Deputy Sheriff Gr. Salary \$ 27.32/HR

Check as Applicable:

Regular Full Time:	X	New Hire:
Regular Part Time:		Rehire:
Temp Full Time:		Termination:
Temp Part Time:		Promotion:
Seasonal Hire:		Transfer:
Replaces position		Demotion:
Name		
New Budgeted Position		

Other:	Remove DIFF	X	Reclassification:

Funding:	2300	- 132	- 420150	- 111	Percent	100	New Account
					Percent		Split Account

Elected Official/Department Head	Date

Section 2

Human Resources:


Finance:

Note: _____	Note: _____
Director _____	Director _____
Date _____	Date _____

H.R. Comments:

Commissioner's Action
Approve Disapprove

Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

Chair	_____
Member	 _____
Member	_____

Department - goldenrod

revised 02/13

JUL 28 2021



YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Carrie Gibson Effective Date: 8/6/2021
Current Title: Deputy Clerk Gr. Salary \$ 1385
Title Change: Gr. Salary \$

Check as Applicable:

Regular Full Time: ☒
Regular Part Time: ☐
Temp Full Time: ☐
Temp Part Time: ☐
Seasonal Hire: ☐
Replaces position Name:
New Budgeted Position:
Other:
New Hire:
Rehire:
Termination: ☒
Promotion:
Transfer:
Demotion:

Reclassification:
Funding: 1000 - 021 - 410330 - 111 Percent 100 New Account
 - Percent Split Account

Carrie Gibson
Elected Official/Department Head 7/26/2021 Date

Section 2

Human Resources:

Finance:

Note:
Carrie Gibson 7-28-21 Date
Director

Note: Date
Carrie Gibson 7-28-21 Date
Director

H.R. Comments:

Commissioner's Action
Approve Disapprove

 Chair
 Member
 Member

Date entered in payroll
Clerk & Recorder - original
Human Resources - canary
Auditor - pink
Department - goldenrod

JUL 28 2021

YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: MILLARD, JESSICA M Effective Date: 8/1/2021
Current Title: Detention Officer/FTO Gr. Salary \$ 21.11/HR
Title Change: YCDF Sergeant Gr. Salary \$ 23.99/HR

Check as Applicable:

Regular Full Time: XXX New Hire:
Regular Part Time: Rehire:
Temp Full Time: Termination:
Temp Part Time: Promotion: X
Seasonal Hire:
Replaces position XX Transfer:
Name BAILEY, D Demotion:
New Budgeted Position

Other: Reclassification:

Funding: 2300 - 136 - 420200 - 111 Percent 100 New Account
 Percent Split Account

Elected Official/Department Head Date 7/22/2021

Section 2

Human Resources:

Finance:

Note:

Director Blagovir 7-28-21 Date

Director Juliana 7.28.21 Date

H.R. Comments:

Commissioner's Action
Approve Disapprove

Chair

Date entered in payroll

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

Department - goldenrod

B.O.C.C. Regular

Agenda Item 1.

Meeting Date: 08/03/2021

Title: Payroll Audit

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Payroll Audit - July 1 to July 15, 2021

BACKGROUND:

See attached.

RECOMMENDED ACTION:

Place to file.

Attachments

Payroll Audit

RECEIVED

JUL 22 2021

YELLOWSTONE COUNTY
CLERK AND RECORDER

PAYROLL AUDIT July 1 to July 15, 2021

Date: 7/21/2021

To: Board of County Commissioners

From: Scott Turner, County Auditor

(S17)

From my office's review of the above referenced payroll, the findings are noted below:

Date	Employee Name	Department	Finding
7/21/21	Corne, Todd	CA	8 hrs vac used not showing on used column in employee summary
7/21/21	Cosby, Catherine	CA	OT rate s/b \$19.92 @ .75
7/21/21	Dean, Arielle	CA	Salary s/b \$2,860.42, accruals not entered
7/21/21	Devries, Sheila	CA	Description s/b vac for 7 hrs
7/21/21	Metzger, Holley	CA	Salary s/b \$3,068.75
7/21/21	Nickisch, Kristen	CA	Hourly rate s/b \$18.67 @ 88
7/21/21	Haradt, Clarke	Facilities	OT rate s/b \$19.92 @ .25
7/21/21	Masters, Jenna	IT	Salary s/b \$2,846.02
7/21/21	Cinclair, Tawnya	Justice Court	OT rate s/b \$15.92 @ .75
7/21/21	Ereth, Lisa	Justice Court	OT rate s/b \$26.79 @ 3.50
7/21/21	Fabricsius, Kristina	Justice Court	Adj s/b \$23.04 (dept finding)
7/21/21	Phillips, Whitney	Justice Court	Adj s/b \$11.52 (dept finding)

7/21/21	Allen, Chandler	Metra	✓	No Payroll Journal ✓
7/21/21	Couture, Mitchell	Sheriff	✓	OT rate s/b \$15.92 @ 9.25
7/21/21	Hickson-Avants, Jennifer	Sheriff	✓	20 year recognition s/b \$100 (20x5)
7/21/21	Keithley, Carissa	Sheriff	✓	OT w/ diff s/b \$18.10 @1.25, OT rate s/b \$17.35 @ 2
7/21/21	Kerr, Virginia	Sheriff	✓	Comp over 40 hrs max, 4 hrs to be paid out (comp balance 44.005)
7/21/21	Mayo, Kilian	Sheriff	✓	32 hrs Military used not showing on used column in employee summary
7/21/21	Townsley, Bry	Sheriff	✓	OT rate s/b \$27.32 @ 6.5
7/21/21	Watson, Anthony	Sheriff	✓	Description s/b vac for 20 hrs
7/21/21	Bravo, Sandra	YSC		Accruals Incorrect (sick s/b 4.42 & vac s/b 5.57)

B.O.C.C. Regular

Agenda Item 2.

Meeting Date: 08/03/2021

Title: Detailed Cash Investment Report June 2021

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Detailed Cash Investment Report June 2021

BACKGROUND:

Full report available in the Finance Department and the Clerk and Recorder's Office.

RECOMMENDED ACTION:

Place to file.

Attachments

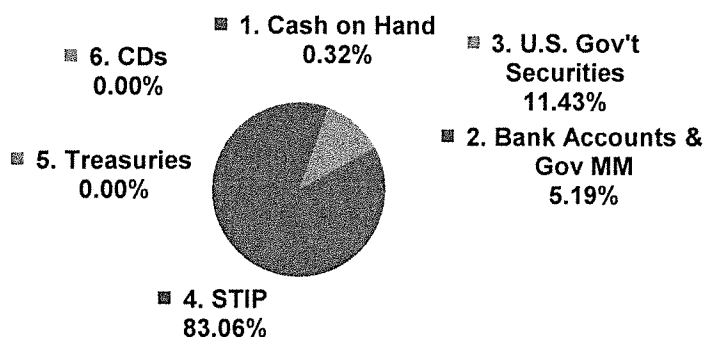
Detailed Cash Investment Report

DETAILED CASH INVESTMENT REPORT

June, 2021

MONTH-END PORTFOLIO MIX

Investment Pool



INVESTMENT TYPE	AMOUNT	%	INTEREST RATE
1. Cash on Hand	791,055.51	0.32%	N/A
2. Bank Accounts & Gov MM	12,699,045.03	5.19%	Varies
3. U.S. Gov't Securities	27,993,400.00	11.43%	.25 - .75%
4. STIP	203,390,785.91	83.06%	0.098%
5. Treasuries	0.00	0.00%	N/A
6. CDs	0.00	0.00%	N/A
TOTAL	244,874,286.45	100.00%	

	# OF DAYS	INTEREST EARNED	AVERAGE INVESTABLE CASH	YIELD
July-20	31	88,752	195,725,368	0.53%
August-20	31	59,586	189,018,023	0.37%
September-20	30	48,891	178,125,934	0.33%
October-20	31	41,326	167,041,129	0.29%
November-20	30	32,286	187,014,437	0.21%
December-20	31	39,186	270,336,323	0.17%
January-21	31	35,748	241,970,913	0.17%
February-21	28	27,307	228,633,464	0.16%
March-21	31	26,239	217,040,366	0.14%
April-21	30	21,326	197,210,504	0.13%
May-21	31	19,980	224,532,182	0.10%
June-21	30	20,466	257,929,611	0.10%
TOTAL Y-T-D	365	461,093	212,837,658	0.22% YTD AVE

B.O.C.C. Regular

Agenda Item 3.

Meeting Date: 08/03/2021

Title: Response to Audit Findings - July 22, 2021

Submitted By: Amy Mills

TOPIC:

July 1 - July 15 Payroll Audit

BACKGROUND:

na

RECOMMENDED ACTION:

na

Attachments

Audit Findings

PAYROLL AUDIT
July 1 to July 15, 2021

Date: 7/21/2021

To: Board of County Commissioners

From: Scott Turner, County Auditor

From my office's review of the above referenced payroll, the findings are noted below:

Checked items indicate
changes made by payroll.

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